



# GRAND LAKE BOARD OF TRUSTEES WORKSHOP AND MEETING AGENDA

Monday, May 22, 2023 at 4:30 PM

Town Hall Board Room – 1026 Park Avenue

*The Town of Grand Lake upholds the Six Pillars of Character:  
Citizenship, Trustworthiness, Respect, Responsibility, Fairness and Caring*

---

**Please join my meeting from your computer, tablet or smartphone.**

<https://us06web.zoom.us/j/82217275991>

**You can also dial in using your phone.**

United States: 719 359 4580

Access Code: 822 1727 5991

## **WORK SESSION 4:30 PM**

1. Call to Order
2. Roll Call
3. Conflicts of Interest
4. Items of Discussion
  - A. BOCC Report
  - [B.](#) Marijuana Ordinance Discussion
  - [C.](#) Trustee Applicant Interview

## **EVENING MEETING 6:00 PM**

1. Call to Order
2. Pledge of Allegiance
3. Announcements
4. Roll Call
5. Conflicts of Interest
6. Manager's Report
7. Public Comments (Limited to 3 Minutes)
8. Appointment & Swearing in of Trustee to fill Vacancy
  - [A.](#) Appointment of Trustee
9. Consideration to Approve Accounts Payable
  - [A.](#) May 22, 2023
10. Financial Review
  - [A.](#) Sales Tax- March
11. Items of Discussion
  - [A.](#) **Quasi-Judicial (Public Hearing):** Consideration to Approve a Special Event Liquor Permit From the Grand Lake Area Chamber of Commerce, for Their Event "Buffalo Days", on August 19, 2023 at Lakefront Park, Located at 1117 Lake Avenue.
  - [B.](#) **Quasi-Judicial (Public Hearing):** Consideration to Approve a Special Event Liquor Permit From the Grand Lake Area Chamber of Commerce, for Their Event "Buffalo Days", on August 18, 2023 & August 19, 2023 at Grand Lake Town Park, Located at 1025 Grand Avenue
  - [C.](#) **Quasi-Judicial (Public Hearing):** Consideration to Approve a Special Event Liquor Permit From Fire on the Mountain Inc, for Their Event "Troublesome Fest", on September 8, 2023 & September 9, 2023 at Lakefront Park, Located at 1117 Lake Avenue
  - [D.](#) **Quasi-Judicial (Public Hearing):** Consideration to Approve a Special Event Liquor Permit From Bicycle Colorado, for Their Event "Ride the Rockies", on June 13, 2023 at Lakefront Parking Lot, Located on Lake Avenue.
  - [E.](#) Bid Award Notification for Stormwater Analysis & Design Services
12. Future Items for Consideration
13. Mayor's Report
14. Adjourn Meeting

## ARTICLE 5 Regulated Marijuana Businesses

On November 8, 2022 the voters of Grand Lake approved Town of Grand Lake Question 2C, “allow[ing] the operation of marijuana businesses in the town and amending the municipal code by the addition of new sections permitting, subject to regulations to be adopted by ordinances of the town, certain activities relating to marijuana, and by so doing repeal the Article 5 of Chapter 7 and Article 11 of Chapter 7, or other section of the Grand Lake Municipal Code, to the extent they are inconsistent with such authorization[.]” The Town of Grand Lake Board of Trustees hereby finds, determines, and declares that it has the power to adopt this Article 5 of Chapter 6 of the Grand Lake Municipal Code pursuant to Chapter XVIII, section 16 of the Colorado Constitution; Colorado Revised Statutes section 44-10-104(3); Chapter XX of the Colorado Constitution; the Town of Grand Lake Charter; and the Local Government Land Use Control Enabling Act, Chapter 20 of title 29, Colorado Revised Statutes. (Ord. 559, Series of 2021).

### Sec. 6-5-1. Definitions.

Unless defined in this Section, or if the context clearly requires otherwise, capitalized terms within this Article shall have the meaning attributed to them in the Code of Colorado Regulations – Colorado Marijuana Rules – 1 CCR 212-3(1-115), adopted by the Colorado Marijuana Enforcement Division, Department of Revenue, as of the effective date hereof.

- (a) *Applicant* means any Person applying to the Town for a License, including without limitation any Entity and/or any Person who qualifies as a Controlling Beneficial Owner.
- (b) *Article* means Article 5 of Chapter 6 of the Grand Lake Municipal Code.
- (c) *Board* means the Town of Grand Lake Board of Trustees.
- (d) *License* means a license issued by the Town to operate a Medical Marijuana Store and a Retail Marijuana Store at one location within the Town.
  - 1. A Licensee shall be required to operate as a Retail Marijuana Store, and shall have the option to also operate as a Medical Marijuana Store.
- (e) *Licensee* means an Applicant who has been issued a License by the Town.
- (f) *Lottery* means the lottery selection process under Section 6-5-7(i) of this Article.
- (g) *MED* means the Colorado, Department of Revenue, Marijuana Enforcement Division.
- (h) *Regulated Marijuana Business* means Medical Marijuana Businesses and Retail Marijuana Businesses.
- (i) *Colorado Marijuana Code* means Colorado Revised Statutes Title 44, Article 10, Section 101 *et seq.*, and the Colorado Marijuana Rules promulgated pursuant thereto at 1 CCR §212-3.
- (j) *Regulated Marijuana Store* means a Medical Marijuana Store or Retail Marijuana Store.
- (k) *State* means the State of Colorado.
- (l) *Town* means the Town of Grand Lake, Colorado.

(m) *Town Code* means the Grand Lake Municipal Code.

**Sec. 6-5-2. License Types Permitted.**

Regulated Marijuana Stores shall be the only Regulated Marijuana Business license type permitted in the Town. All other Regulated Marijuana Business license types shall remain prohibited. It shall furthermore be unlawful for any Person to own or operate a Regulated Marijuana Store without first obtaining all necessary permits, licenses, and approvals to operate such a business from the Town pursuant to this Article and from the State pursuant to the Colorado Marijuana Code.

**Sec. 6-5-3. Local Licensing Authority.**

- (a) The Board is hereby designated the Local Licensing Authority with all powers granted thereto by the provisions of the Colorado Marijuana Code. Any decision made by the Board to (i) grant or deny a License, (ii) revoke or suspend a License, (iii) renew or not renew a License, (iv) fine a Licensee, or (v) place a License on probationary conditions, shall be a final decision and may be appealed to district court pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure.
- (b) In case of an application resubmitted directly to the Town pursuant to Section 16(5)(h) of Article XVIII of the Colorado Constitution, due to the failure of the state licensing authority to act upon an application within ninety (90) days, the Board shall act as the licensing authority thereunder and all requirements of this Article shall apply to such application. In addition to compliance with this Article, the Applicant shall demonstrate compliance with all applicable requirements of the Colorado Marijuana Code and shall pay to the Town the full amount of the application fee if not forwarded by the State. The Board shall approve or deny such application within ninety (90) days after receipt of the resubmitted application.
- (c) The Town Clerk, or their designee, shall assist the Board by receiving all applications, coordinating with other Town officers and departments when relevant, scheduling required public hearings and providing notice in accordance with this Article, the Town Code, and the Colorado Marijuana Code. The Town Clerk, or their designee, shall also act as the local point-of-contact with the MED on all marijuana regulatory matters.

**Sec. 6-5-4. Limitation on Number of Licenses.**

- (a) The Board shall have the authority to initially grant and issue one (1) License pursuant to this Article and the Colorado Marijuana Code. This one (1) License shall be awarded pursuant to the application and Lottery selection process as set forth in this Article.
  - (1) One (1) year from the date the first Licensee opens for sales to the public, , or upon motion by the Board, the Board shall review (i) the results and impacts of marijuana legalization in the Town, and (ii) the operation and implementation of the provisions and procedures in this Article. If upon such review the Board determines it is in the best interest of the Town, the Board shall have the discretionary authority to grant and issue one (1) additional License. This second License shall be awarded pursuant to a

new application and Lottery selection process as set forth in this Article, or pursuant to an alternative process as the Board shall provide by resolution.

- (b) In the event that a previously granted and issued License is revoked, not renewed, surrendered, or terminated, resulting in the permanent loss of that License by a Licensee, and therefore fewer than two (2) Licenses are issued and active within the Town, the Board may, at the Board's discretion, approve and issue additional License(s) pursuant to a new application and Lottery selection process as set forth in this Article, or pursuant to an alternative process as the Board shall provide by resolution.
- (c) At no time shall there be more than two (2) Licenses issued and active within the Town.

**Sec. 6-5-5. Limitations and Requirements Applicable to Regulated Marijuana Stores.**

- (a) *State requirements.* Regulated Marijuana Stores must at all times comply with the regulations and requirements contained in the Colorado Marijuana Code. The Local Licensing Authority may revoke or otherwise penalize a Licensee pursuant to Section 6-5-15 of this Article.
- (b) *Location.* Regulated Marijuana Stores shall only be located on property within the Commercial Zoning District or a planned development district; but shall not be permitted on any parcel east of Broadway Street. Regulated Marijuana Stores shall not be permitted to operate as "home occupations."
- (c) *Separation requirements.*
  - (1) No License shall be approved if, at the time of the initial application for such License, the proposed location is within three hundred (300) feet of:
    - i. Any established and conspicuously identified elementary or secondary school;
    - ii. Existing licensed child care facility; or
    - iii. Any existing Regulated Marijuana Store.
  - (2) The distances set forth in this Subsection shall be computed by direct measurement in a straight line from the nearest property line of the land used for the purposes stated above, respectively, to the nearest portion of the building in which the Regulated Marijuana Store is located. The locational criteria contained in this Section shall apply to all proposed changes in the location of an existing License.
  - (3) The Board may waive the distance requirements set forth in this Subsection for a specified location if an Applicant demonstrates that granting such a waiver will not negatively impact the health, safety, or welfare of the Town.
- (d) *Co-location & Retail Marijuana Store.* Any License issued by the Town shall allow for both a Medical Marijuana Store and a Retail Marijuana Store to operate on the same Licensed Premises under one License.
  - (1) Each Licensee shall be required to operate as a Retail Marijuana Store, and shall have the option to also operate as a Medical Marijuana Store.
- (e) *Signage & Advertisements.* Advertisements, signs, displays or promotional material depicting marijuana, marijuana plants, or any other pictures or symbols commonly

understood to refer to marijuana, shall not be shown or exhibited on the exterior of a Licensed Premises or in any other location within the Town where visible from a public right-of-way. No signage associated with a Regulated Marijuana Store shall use the word "marijuana," "cannabis," or any other word or phrase commonly understood to refer to marijuana. All exterior signage associated with a Regulated Marijuana Store must comply with the Town Sign Code at Chapter 6 of Article 2 of the Town Code and must receive a sign permit pursuant thereto. Existing exemptions in the Town Sign Code shall not apply to exterior signage associated with the Regulated Marijuana Store.

(1) Notwithstanding the foregoing, and so long as in compliance with all other applicable signage and advertisement requirements, a Licensee's exterior signage shall be permitted to use:

i. The words "Recreational" and "Dispensary" one (1) time each, the text of which shall be no larger than [enter maximum size];

ii. One (1) green cross symbol no larger than [enter maximum size];

iii. If the Licensee also operates as a Medical Marijuana Store, the word "Medical" one (1) time, the text of which shall be no larger than [enter maximum size].

(f) *Indoor Operation.* All Regulated Marijuana Store operations (except transportation) shall be conducted indoors, and shall not be visible from the exterior of the building.

(g) *Inspection of Licensed Premises.* During all business hours and other times of apparent activity, the Licensed Premises and the property associated with a License shall be subject to inspection by Town personnel, or commissioned police officers of the Town, for the purpose of investigating and determining compliance with the provisions of this Article, the Colorado Marijuana Code, and any other applicable state or local law or regulation. Such inspection may include, without limitation, the inspection of books, records and inventory. Where any part of the Licensed Premises or property consists of a locked area, such area shall be made available for inspection, without unreasonable delay, upon request.

(h) *Additional Requirements.* Regulated Marijuana Stores shall be subject to the following additional requirements:

(1) A Regulated Marijuana Store may only be open to the public during the hours of 8:00 a.m. to 10:00 p.m. unless the Board authorizes extended hours of operation as a provision of the License, but in no event shall such authorization extend past 12:00 a.m. The Board may only authorize such extension after making a determination that such hours of operation are appropriate for the neighborhood.

(2) No on-site consumption of marijuana is allowed.

(3) A Town business license and sales tax license shall be required.

(4) No mobile structure may be used to operate a Regulated Marijuana Store.

(5) No alcohol sales or consumption shall be permitted on the Licensed Premises.

(6) A Licensee shall not permit persons who do not possess a valid identification or other appropriate proof of age to enter or loiter on or about the Licensed Premises.

- (7) All Regulated Marijuana Stores, and their owners, officers, employees, and agents must comply at all times with all other applicable provisions of the Town Code.
- (8) Whenever the provisions of the Colorado Marijuana Code require a Licensee to submit licensing, operational, investigative, or incident documentation to the MED or other governmental entities, the Licensee shall provide copies of all such submissions to the Town Clerk.
- (9) All Regulated Marijuana Stores shall post conspicuous signage at each Point of Sale, and at each customer point of egress from the Licensed Premises, printed in red, stating the following:

**WARNING: FEDERAL LANDS  
MARIJUANA USE AND POSSESSION IS  
ILLEGAL ON ALL FEDERAL LANDS  
INCLUDING IN ROCKY MOUNTAIN  
NATIONAL PARK**

- (i) *Proper Ventilation.* All Regulated Marijuana Stores shall be equipped with a proper ventilation system that filters out the odor of marijuana so that the odor is not capable of being detected by a person with a normal sense of smell at the exterior of Licensed Premises or any adjoining business, parcel, or tract of real property. All Applicants for a new License shall submit a ventilation and odor mitigation plan with their Application, which shall be subject to review and approval by the Board prior to issuance of a new License. The lack of an approved ventilation and odor mitigation plan shall be grounds for denial of a new License or renewal of an existing License. Failure to install or maintain the ventilation system required by an approved ventilation and odor mitigation plan shall constitute a violation of this Article and shall be grounds for suspension or revocation of a License pursuant to Section 6-5-15 of this Article.

**Sec. 6-5-6. Retail Marijuana Sales Tax**

- (a) A retail marijuana sales tax is imposed upon all retail sales of retail marijuana and retail marijuana products sold within the Town by Retail Marijuana Stores at the rate of five percent (5%) of the gross price paid by the purchaser, rounded off to the nearest penny. The tax imposed by this Section is in addition to, and not in lieu of, the general sales tax owed to the Town and all taxes owed to the State in connection with the sale of retail marijuana and retail marijuana products. The Board may, by resolution, raise the retail marijuana sales tax under this Section to no higher than fifteen percent (15%). Where possible, retail marijuana sales tax revenues shall be collected pursuant to Section 4-3-8 of the Town Code. The Town Manager may adopt administrative rules and regulations specifying additional or alternative procedures for the collection and enforcement of the retail marijuana sales tax imposed by this Section.
- (b) Medical Marijuana sales shall not be subject to any Town marijuana sales tax, but shall be subject to the general sales tax owed to the Town.

**Sec. 6-5-7. Lottery Phase Application Requirements**

- (a) The Town hereby establishes a two-phase License application process. The Lottery Phase shall consist of application submissions for the purpose of entry into the Lottery to be conducted by the Town pursuant to this Section. The Licensing Phase shall consist of a separate application submitted by the Applicant selected in the Lottery for the purpose of licensing approval and issuance by the Board pursuant to Sections 6-5-8, 6-5-9, and 6-5-10 of this Article.
- (b) Within forty-five (45) days of the effective date of this Article, the Town shall post notice on its website indicating that Lottery Phase applications shall be accepted for a sixty (60) day period.
- (c) *Lottery Phase Applications.* An Applicant shall submit a Lottery Phase application to the Town on forms provided by the Town Clerk and posted on the Town website. As part of the Lottery Phase application, all Applicants, including all Controlling Beneficial Owners associated therewith, shall submit to the Town Clerk, without limitation:
  - 1. A copy of a form of identification issued by the government of the United States, the government of any state within the United States, or the government of a United States Territory.
    - i. Such identification shall not be expired and shall include name, address, and date of birth.
  - 2. Evidence of lawful presence or residence in the United States.
  - 3. Completion of criminal and moral character disclosure form.
  - 4. Proof of submission to the MED, for all Controlling Beneficial Owners, of an application for Findings of Suitability.
    - i. The Applicant must also submit to the Town copies of such MED application(s) and all application materials.
  - 5. Curriculum vitae for the Applicant, each Controlling Beneficial Owner, and any managers associated with the Applicant.
  - 6. If the Applicant is a business entity, information regarding the entity, including without limitation:
    - i. The name and address of the entity;
    - ii. Identification of all Controlling Beneficial Owners of the entity;
    - iii. Certificate of good standing from the Colorado Secretary of State;
    - iv. An organizational chart;
    - v. If a corporation: Articles of Incorporation, Shareholders Agreement, and Bylaws;
    - vi. If a limited liability company: Articles of Organization, and Operating Agreement; and

- vii. Other business entity documentation as may be requested by the Town Clerk.
- 7. Proof of access to adequate funding to cover start-up expenses of not less than \$150,000.
  - i. If the Applicant cannot document proof of access to adequate funding at the time of submission of a Lottery Phase application, the Applicant must submit a written Funding Plan for the purpose of obtaining adequate funding to cover start-up expenses of not less than \$150,000.
- 8. A copy of any deed, lease, letter of intent, or other contract reflecting the right, or the right conditioned on License approval, of the Applicant to possess and operate a Regulated Marijuana Store at a location permitted by this Article.
  - i. If the property of the proposed Regulated Marijuana Store is located within an owners association, or a Planned Development under Town Code 12-2-25, the Applicant shall provide proof that the proposed Regulated Marijuana Store use complies with all applicable covenants and required approvals thereunder.
  - ii. If the Applicant cannot provide documentation satisfying this Subsection at the time of submission of a Lottery Phase application, the Applicant must submit a written plan for securing a right to possess and operate a Regulated Marijuana Store at a location permitted by this Article.
- 9. Executive Summaries of Applicant's:
  - i. Business Plan;
  - ii. Operations Plan;
  - iii. Compliance Plan;
  - iv. Security Plan, including without limitation:
    - A. Complying with MED security regulations;
    - B. Theft and diversion prevention; and
    - C. Other locational and community-specific security concerns
  - v. Staffing Plan;
  - vi. Community Engagement Plan, including without limitation, Applicant's history of community service;
  - vii. Odor Mitigation and Ventilation Plan;
  - viii. Personnel Experience, including without limitation:
    - A. Operating a licensed marijuana business in Colorado or another state; or
    - B. Operating a business in a highly regulated industry.

(d) *Bonus Weight Criteria.*

1. An Applicant shall be awarded fifteen percent (15%) bonus weight in the Lottery selection process if the Applicant submits proof that no less than fifty-one percent (51%) of all Controlling Beneficial Owners associated with the Applicant have continuously resided full-time in the Town, or in Grand County, Colorado, for no less than one (1) full year immediately preceding the date of submission of Applicant's Lottery Phase application.
2. An Applicant shall be awarded ten percent (10%) bonus weight in the Lottery selection process if the Applicant submits proof that the Applicant is a Social Equity Licensee under the Colorado Marijuana Code.
3. Bonus weight under this subsection shall not be cumulative. The maximum bonus weight an Applicant can receive, even if the Applicant qualifies under both bonus criteria, is fifteen percent (15%).

(e) *Lottery Phase Application Fees.* Along with the Lottery Phase application, all Applicants must submit a Lottery Phase application fee to the Town to cover costs associated with processing, investigating and administering the Lottery Phase application process. The Lottery Phase application fee shall be established by the Town by resolution.

(f) *Common Control Prohibition.* No Person or Entity may apply on behalf of another Person or Entity. Multiple Lottery Phase application submissions by the same Person or Entity, or applications by multiple entities with substantially the same ownership or who are Affiliated Entities (as defined below), are prohibited and will be rejected. No Applicant shall provide, rely on, or include in their Funding Plan under Section 6-5-7(C)(7), any funding which is shared, or in any way associated with, another Applicant's source or plan for funding. All Controlling Beneficial Owners associated with an Applicant shall be required to attest, subject to criminal penalties for perjury, that they are not affiliated with any other Applicant, and that they do not share common control or funding with any other Applicant as set forth in this Subsection. Submission of a Lottery Phase application in violation of this Subsection shall result in the rejection of all Lottery Phase applications associated with such violation.

1. For purposes of this Subsection, "substantially the same ownership" and "Affiliated Entities" are defined as follows:
  - i. "Substantially the same ownership" means that entities share any Controlling Beneficial Owners in common.
  - ii. "Affiliated Entities" means:
    - A. A Person having ownership or any level of control in common with an entity, in whole or in part, including, without limitation, an entity's parent corporation, franchisor, licensor, and any subsidiaries or affiliates of such parent corporations; or
    - B. A Person who has a direct business or an immediate familial relationship with another person or a person or entity using the same trade name as another person or entity.

2. Applicants may not transfer an Application to a third party at any time during any stage of the Lottery Phase or Licensing Phase of the application process.
  3. To ensure compliance with the prohibitions of this Subsection, during the first two years following the License issuance date, the Licensee shall not transfer its License, alter its ownership or ownership structure as it pertains to Controlling Beneficial Owners, or change its name or trade name.
    - i. The Board may waive this requirement if good cause is shown, and if such waiver will neither undermine the purpose of this Section nor negatively impact the health, safety, or welfare of the Town.
  4. The Board may promulgate rules and regulations as needed to carry out the intent of this Section to ensure and confirm that each Applicant is a wholly separate business owned, operated, funded, and controlled by a wholly separate Person or Entity, with no affiliation to any other Applicant.
- (g) *Completeness Review.* The Town Clerk, or their designee, shall review Lottery Phase applications for completeness as they are received. If a Lottery Phase application is found to be incomplete, the Town Clerk, or their designee, shall notify the Applicant in writing, via email and U.S. mail, of the Application’s deficiencies, and the Applicant shall have fifteen (15) days from the date of the deficiency notice to remedy the deficiency(ies). If the Applicant fails to remedy the deficiency(ies) within the specified period, the Town Clerk, or their designee, shall deny the Application and notify the Applicant of the denial.
1. Denial of an Application at the completeness review stage under this Subsection is appealable to the Town Manager by filing an appeal with the Town within ten (10) days of the date the notification of the denial was mailed. The Town Manager shall schedule a hearing within twenty (20) days of the filing of the appeal. The Town shall provide at least seven (7) days’ notice to the appellant of the hearing. The Town Manager shall make a determination of the appeal within ten (10) days of the hearing and shall notify the appellant of the decision in writing.
- (h) *Board Review.* At the end of the completeness review period under this Section, including the appeals process thereunder, if any, the Town Clerk, or their designee, shall submit to the Board all Lottery Phase applications determined to be complete. At its next regular public meeting, the Board shall review each complete Lottery Phase application to determine qualification, pursuant to this Section, for entry into the Lottery. The Board shall make such determinations and notify each Applicant, in writing, no later than thirty (30) days from such public hearing. Applicants shall qualify for entry into the Lottery by demonstrating, through the Lottery Phase application materials submitted to the Town, that the Applicant possesses sufficient:
1. Knowledge of applicable state and local laws and regulations,

2. Knowledge of the legal marijuana industry and/or competence in operating a business in another highly regulated industry, and
  3. Professionalism in business plans, operational plans, and other submitted materials.
- (i) *Lottery Selection.* Upon final determination by the Board of all Lottery Phase applications that qualify for entry into the Lottery (“Lottery Applicant(s)”), the Town shall conduct a random Lottery at its next regular public meeting, subject to Subsection (d) of this Section, to select which Lottery Applicant shall proceed with the License Application process under Section 6-5-8. Following such selection, and at the same public meeting, the Town shall also conduct a random Lottery to select alternate Lottery Applicants (“Alternate Applicant(s)”) by assigning all Alternate Applicants an alternate preference number corresponding to the order in which they were selected.
1. The Town may adopt administrative rules and regulations specifying the policies and procedures for conducting the Lottery.

**Sec. 6-5-8. License Phase Application Requirements**

- (a) *License Phase Application.* No later than sixty (60) days from the date of the Lottery, or from the date an Alternate Applicant is notified by the Town pursuant to Section 6-5-8(d)(2), the Applicant selected in the Lottery shall submit a License Phase application to the Town on forms provided by the Town Clerk.
- (b) As part of the License Phase application, the Applicant shall submit, without limitation:
1. A copy of any deed, lease, or contract reflecting the right, or the right conditioned on License approval, of the Applicant to possess and operate a Regulated Marijuana Store at the location specified in the License Phase application.
  2. Updated and comprehensive business plans, tailored to the location specified in the License Phase application, covering all subject areas set forth in Section 6-5-7(c)(9).
  3. Proof of Findings of Suitability issued by the MED for all Controlling Beneficial Owners of the Applicant.
  4. Proof of submission to MED of a Regulated Marijuana Business License Application.
    - i. The Applicant must also submit to the Town copies of such MED application(s).
  5. Town Sales Tax License.
  6. Town Business License.
  7. Proof of submission to the Town of a Conditional Use Permit Application pursuant to Town Code 12-2-31(B).
  8. If any information about the Applicant has changed since the submission of the Lottery Phase application, the Applicant shall disclose and submit all such updated information with the License Phase application.

9. Any additional information or documentation that the Board or Town staff determines to be reasonably related to investigating the Applicant's plans, qualifications, and fitness for operating a Regulated Marijuana Store at the location specified in the License Phase application.
  - (c) *License Phase Application Fees.* Along with the License Phase application, the Applicant must submit a License Phase application fee to the Town to cover costs associated with processing, investigating and administering the License Phase application process. The Licensing Phase application fee shall be established by the Town by resolution.
  - (d) *Completeness Review.* Within fifteen (15) days of receiving a timely submitted License Phase application, the Town Clerk, or their designee, shall review such application for completeness. If a License Phase application is deemed incomplete, the Town Clerk, or their designee, shall notify the Applicant in writing, via email and U.S. mail, of the application's deficiencies, and the Applicant shall have forty-five (45) days from the date of the deficiency notice to remedy the deficiency(ies). If the Applicant fails to remedy the deficiency(ies) within the specified period, the Town Clerk shall deny the application and notify the Applicant of the denial.
    1. Denial of an Application at the completeness review stage under this Subsection is appealable to the Town Manager by filing an appeal with the Town within ten (10) days of the date the notification of the denial was mailed. The Town Manager shall schedule a hearing within twenty (20) days of the filing of the appeal. The Town shall provide at least seven (7) days' notice to the appellant of the hearing. The Town Manager shall make a determination of the appeal within ten (10) days of the hearing and shall notify the appellant of the decision in writing.
    2. If a License Phase application is denied under this Section, the Town shall, within forty-five (45) days of such denial, notify the next Alternate Applicant as selected under Section 6-5-7(i) to proceed with the License Application process under this Section 6-5-8.
  - (e) *Staff Review.* Upon receipt of a completed License Phase application, the Town Clerk, or their designee, shall transmit copies of the application to all Town agencies and staff who the Board or Town staff determines should participate in the review and investigation of the application.
    1. Town staff, or other governmental agencies authorized by the Town, may visit and inspect the property and Licensed Premises of the proposed Regulated Marijuana Store.
    2. In investigating the fitness of the Applicant, the Town may obtain criminal history record information furnished by a criminal justice agency subject to any restrictions imposed by such agency. In the event the Town takes into consideration information concerning the Applicant's criminal history record, the Town shall also consider any information provided by the Applicant regarding such criminal history record, including without limitation, evidence of rehabilitation, community service, character references and educational achievements, especially those items

pertaining to the period of time between the Applicant's last criminal conviction and the consideration of the License Phase application.

- 3. Not more than thirty (30) days from the date the Town Clerk has deemed a License Phase application to be complete, and not less than fourteen (14) days prior to a public hearing held pursuant to Section 6-5-9, the Town Clerk shall report to the Board and the Applicant any findings or recommendations made on the License Phase application as a result of the investigation and review conducted pursuant to this Section.

**Sec. 6-5-9. Public Hearing**

- (a) The Town Clerk shall schedule a public hearing before the Board on the License Phase application.
  - 1. The public hearing shall be held not less than fourteen (14) days from the date the Town Clerk reported the findings under Section 6-5-8(e)(3).
  - 2. The public hearing shall only be held after the Town Planning Commission has reported its recommendations to the Board, pursuant to Town Code 12-2-31(B)(3)(a)(3), on the Applicant's Conditional Use Permit application.
- (b) The Town shall post and publish public notice of the hearing not less than fourteen (14) days prior to the hearing. The Town shall give public notice by the posting of a sign in a conspicuous place at the property of the proposed Regulated Marijuana Store, and by publication in a newspaper of general circulation in the Town.

**Sec. 6-5-10. Issuance or Denial of License.**

- (a) For the purpose of voting to approve or deny a License, the Board may consider the facts and evidence adduced as a result of:
  - 1. The review and investigation under Section 6-5-8(e).
  - 2. Review and investigation of the License Phase application by the Board.
  - 3. The recommendations of the Planning Commission.
  - 4. The testimony and evidence presented by the Applicant, the public, or Town staff at the public hearing under Section 6-5-9, including any written or oral public comments submitted in conjunction therewith.
  - 5. Any other facts pertinent to the qualifications of the Applicant.
- (b) The Board has the authority to refuse to approve a License for good cause, including without limitation, if the Board has made the following findings:
  - 1. The Applicant has violated, does not meet, or has failed to comply with any of the terms, requirements, conditions, or provisions of the License, the Town Code, the Colorado Marijuana Code, or any applicable state or local law, rule, or regulation.
  - 2. The Board has determined that the Applicant's character, record, or reputation is not satisfactory after consideration of factors, which include without limitation:

- i. The Applicant has knowingly submitted false information, made willful misrepresentations, knowingly committed fraudulent acts, or omitted material facts;
    - ii. The Applicant has a criminal history of crimes of moral turpitude, which may include without limitation murder, burglary, robbery, arson, kidnapping, or sexual assaults;
    - iii. The Applicant has had a professional license, including without limitation a government-issued marijuana license, denied or revoked as a result of violations of law, rule, or regulation, or a finding of bad moral character by a government entity;
    - iv. The Applicant has been found to be currently delinquent in the payment of any state or local taxes, and has shown a pattern of failing to correct such delinquency;
  - 3. Specific evidence pertaining to the Applicant that approving the License at the location specified in the License Phase application will adversely affect the public health, safety, or welfare.
- (c) No later than thirty (30) days from the date of the public hearing under Section 6-5-9, the Board shall issue its decision approving or denying the License. The decision shall be in writing and shall state the reasons for the decision. The Board shall send a copy of the decision, by email and U.S. mail, to the Applicant at the address shown in the application, and shall make its decision available to the public.
- (d) The Board may impose reasonable conditions upon a License.
- (e) After approval of a License, the Board shall not issue the License until:
- 1. The Applicant has obtained all other required licenses and permits related to the operation of the Regulated Marijuana Store, and has satisfied all pre-issuance license conditions, if any.
  - 2. The Regulated Marijuana Store building and site is approved for occupancy with such furniture, fixtures and equipment in place as are necessary to comply with the applicable provisions of all state and local laws and regulations, and any License conditions imposed by the Board.
  - 3. The Board has voted to approve the Applicant's Conditional Use Permit.
  - 4. The Applicant has complied with Section 6-5-17 of this Article.
- (f) After approval of a License, the Board, or its designee, shall notify the MED of such approval.

**Sec. 6-5-11. License Renewal**

- (a) A License issued pursuant to this Article shall be valid for a period of one (1) year from the date of issuance and shall be renewed each year thereafter pursuant to this Section. An application for renewal shall be made to the Town Clerk not less than thirty (30) days prior to the date of expiration. The renewal application shall be accompanied by the annual

operating fees for the renewal term, and a renewal application fee in such amount as is established from time to time by resolution of the Board.

- (b) A public hearing shall be conducted by the Board on each renewal application of the License.
  - 1. The Board has the authority to refuse to renew a License for good cause, including without limitation, making findings as set forth in Section 6-5-10(b), or as follows:
    - i. A continuing pattern of disorderly conduct or drug-related criminal conduct upon or in the immediate vicinity of the Licensed Premises;
    - ii. A continuing pattern of criminal conduct directly related to or arising from the operation of the Regulated Marijuana Store;
    - iii. An ongoing nuisance condition emanating from or caused by the Regulated Marijuana Store; or
    - iv. The Applicant has failed to comply with any applicable law, regulation, or term or conditions of the License.
  - 2. The Board may impose new reasonable conditions upon any License renewal.

**Sec. 6-5-12. Contents and Display of License.**

The Licensee shall post the License in a conspicuous location at the Regulated Marijuana Store. A License shall contain at minimum the following information:

- (a) The name and any tradename of the Licensee;
- (b) The date of issuance of the License;
- (c) The street address of the Regulated Marijuana Store;
- (b) Any conditions of approval imposed upon the License by the Board;
- (c) The date of expiration of the License; and
- (d) The signatures of the Licensee and Town Clerk.

**Sec. 6-5-13. Change in Ownership Structure.**

- (a) In determining whether to permit a change in ownership structure, the Board shall require any proposed new Controlling Beneficial Owner(s) to submit to the Town:
  - 1. A copy of a form of identification issued by the government of the United States, the government of any state within the United States, or the government of a United States Territory.
    - i. Such identification shall not be expired and shall include name, address, and date of birth.
  - 2. Evidence of lawful presence or residence in the United States.
  - 3. Completion of criminal and moral character disclosure form.
  - 4. Proof of Findings of Suitability issued by the MED.

- i. The Applicant must also submit to the Town copies of such MED application(s) and all application materials.
5. Proof of approval by the MED of a Marijuana Business License – Change of Controlling Beneficial Owner Application.
  - i. The Applicant must also submit to the Town copies of such MED application(s) and all application materials.
6. Curriculum vitae.
7. Any additional information or documentation that the Board or Town staff determines to be reasonably related to investigating the proposed new Controlling Beneficial Owner’s plans, qualifications, and fitness for operating, or holding controlling beneficial ownership in, a Regulated Marijuana Store.

**Sec. 6-5-14. Transfer of Ownership**

- (a) For a Licensee to transfer fifty-one percent (51%) or more of its ownership to a third party transferee (including all Controlling Beneficial Owners associated therewith, the “Transferee”), the Transferee shall submit a Transfer of Ownership application to the Town Clerk, including without limitation:
  1. A copy of a form of identification issued by the government of the United States, the government of any state within the United States, or the government of a United States Territory.
    - i. Such identification shall not be expired and shall include name, address, and date of birth.
  2. Evidence of lawful presence or residence in the United States.
  3. Completion of criminal and moral character disclosure form.
  4. Proof of Findings of Suitability issued by the MED for all Controlling Beneficial Owners of the Transferee.
    - i. The Transferee must also submit to the Town copies of such MED application(s) and all application materials.
  5. Curriculum vitae for the Transferee, each Controlling Beneficial Owner, and any managers associated with the Transferee.
  6. If the Transferee is a business entity, information regarding the entity, including without limitation:
    - i. The name and address of the entity;
    - ii. Identification of all Controlling Beneficial Owners of the entity;
    - iii. Certificate of good standing from the Colorado Secretary of State;
    - iv. An organizational chart;

- v. If a corporation: Articles of Incorporation, Shareholders Agreement, and Bylaws;
  - vi. If a limited liability company: Articles of Organization, and Operating Agreement; and
  - vii. Other business entity documentation as may be requested by the Town Clerk.
7. A copy of any deed, lease, letter of intent, or other contract reflecting the right, or the right conditioned on License approval, of the Transferee to possess and operate a Regulated Marijuana Store at a location permitted by this Article.
- i. If the property of the proposed Regulated Marijuana Store is located within an owners association, or a Planned Development under 12-2-25 of the Town Code, the Transferee shall provide proof that the proposed Regulated Marijuana Store use complies with all applicable covenants and required approvals thereunder.
8. Comprehensive business plans, tailored to the location of the Regulated Marijuana Store, covering all subject areas set forth in Section 6-5-7(c)(9).
9. Proof of submission to MED of a Marijuana Business License – Change of Controlling Beneficial Owner Application.
- i. The Transferee must also submit to the Town copies of such MED application(s) and all application materials.
10. Town Sales Tax License.
11. Town Business License.
12. Any additional information or documentation that the Board or Town staff determines to be reasonably related to investigating the proposed new Transferee’s plans, qualifications, and fitness for operating, or holding controlling beneficial ownership in, the Regulated Marijuana Store.
- (b) *Staff Review.* Upon receipt of a completed Transfer of Ownership Application, the Town Clerk, or their designee, shall transmit copies of the application to all Town agencies and staff who the Board determines should participate in the review and investigation of the application.
- 1. Town staff, or other governmental agencies authorized by the Town, may visit and inspect the property and Licensed Premises of the Regulated Marijuana Store.
  - 2. In investigating the fitness of the Transferee, the Town may obtain criminal history record information furnished by a criminal justice agency subject to any restrictions imposed by such agency. In the event the Town takes into consideration information concerning the Transferee’s criminal history record, the Town shall also consider any information provided by the Transferee regarding such criminal history record, including without limitation, evidence of rehabilitation, community service, character references and educational achievements, especially those items

pertaining to the period of time between the last criminal conviction and the consideration of the Transfer of Ownership Application.

3. Not more than thirty (30) days from the date the Town Clerk has deemed a Transfer of Ownership Application to be complete, and not less than fourteen (14) days prior to a public hearing held pursuant to Section 6-5-14(c), the Town Clerk shall report to the Board and the Transferee any findings or recommendations made on the Transfer of Ownership Application as a result of the investigation and review conducted pursuant to this Section.
- (c) The Town Clerk shall schedule a public hearing before the Board on the Transfer of Ownership Application.
1. The public hearing shall be held not less than fourteen (14) days from the date the Town Clerk reported the findings under Section 6-5-14(c)(3).
  2. The Town shall post and publish public notice of the hearing not less than fourteen (14) days prior to the hearing. The Town shall give public notice by the posting of a sign in a conspicuous place at the property of the Regulated Marijuana Store, and by publication in a newspaper of general circulation in the Town.
  3. An application fee shall accompany each Transfer of Ownership Application, in such amount as is established from time to time by resolution of the Board.
- (f) For the purpose of voting to approve or deny a Transfer of Ownership, the Board may consider the facts and evidence adduced as a result of:
1. The review and investigation under Section 6-5-14(b).
  2. Review and investigation of the Transfer of Ownership Application by the Board.
  3. The testimony and evidence presented by the Transferee, the public, and Town staff at the public hearing, including any written or oral public comments submitted in conjunction therewith.
  4. Any other facts pertinent to the qualifications of the Transferee.
- (g) The Board has the authority to refuse to approve a Transfer of Ownership for good cause, including without limitation, if the Board has made the following findings:
1. The Transferee has violated, does not meet, or has failed to comply with any of the terms, requirements, conditions, or provisions of this Article, the Town Code, the Colorado Marijuana Code, or any applicable state or local law, rule, or regulation.
  2. The Board has determined that the Transferee's character, record, or reputation is not satisfactory after consideration of factors, which include without limitation:
    - i. The Transferee has knowingly submitted false information, made willful misrepresentations, knowingly committed fraudulent acts, or omitted material facts;
    - ii. The Transferee has a criminal history of crimes of moral turpitude, which may include without limitation murder, burglary, robbery, arson, kidnapping, or sexual assaults;

- iii. The Transferee has had a professional license, including without limitation a government-issued marijuana license, denied or revoked as a result of violations of law, rule, or regulation, or a finding of bad moral character by a government entity;
  - iv. The Transferee has been found to be currently delinquent in the payment of any state or local taxes, and has shown a pattern of failing to correct such delinquency;
3. Specific evidence that approving the License will adversely affects the public health, safety, or welfare. Specific evidence pertaining to the Applicant that approving the License at the location specified in the License Phase application will adversely affect the public health, safety, or welfare.
- (h) No later than thirty (30) days from the date of the public hearing under this Section, the Board shall issue its decision approving or denying the Transfer of Ownership. The decision shall be in writing and shall state the reasons for the decision. The Board shall send a copy of the decision, by email and U.S. mail, to the transferring Licensee and the Transferee at the addresses on record.
  - (i) The Board may impose new reasonable conditions upon a transferred License.
  - (j) After approval of a Transfer of Ownership, the Board shall not issue the transferred License until:
    - 1. The Transferee has obtained all other required state and local licenses and permits related to the transfer and the operation of the Regulated Marijuana Store, and has satisfied all pre-issuance license conditions, if any.
  - (k) After approval of a transferred License, the Board, or its designee, shall notify the MED of such approval.

**Sec. 6-5-15. Suspension or revocation.**

- (a) At any time after the date of License approval, the Board may revoke or elect not to renew any License if it determines that the Licensed Premises has been inactive, or fails to open for marijuana sales to the public, without good cause, for at least one (1) year.
- (b) The Board has the authority to impose reasonable sanctions on a License and/or Licensee for violation by the Licensee, or any of its owners, agents, operators, employees, or contractor's, of the provisions of this Article, the Town Code, the Colorado Marijuana Code, or of any of the terms, conditions or provisions of the License.
  - 1. Sanctions may include, without limitation:
    - a. Suspension
      - i. Unless otherwise ordered by the Board, during any period of suspension the Licensee shall continue to safeguard any Regulated Marijuana in its possession or control; maintain the Licensed Premises in reasonable condition according to health, safety, and sanitary standards; and fully comply with all applicable laws, rules, and License conditions,

including but not limited to surveillance, inventory tracking, and lock and alarm requirement as set forth in the Colorado Marijuana Code and the Town Code.

- b. Fine
  - c. Revocation, and/or
  - d. Probation.
2. Prior to imposing any sanction under this Subsection, the Board shall conduct an investigation into the alleged violation and hold a public hearing at which the Licensee shall be afforded an opportunity to be heard.
  3. The Board has the power to administer oaths and issue subpoenas to require the presence of persons and the production of papers, books and records necessary to impose a sanction or conduct a public hearing pursuant to this Subsection.
  4. Any License may be summarily suspended by the Board without notice pending a prosecution, investigation or public hearing pursuant to the Summary Suspension provisions of the Colorado Marijuana Code, 1 CCR §212-3(8-210(A)).
- (c) Whenever a decision of the Board suspending a license for thirty (30) days or less becomes final, the Licensee may, before the operative date of the suspension, petition for permission to pay a fine in lieu of suspension for all or part of the suspension period. Upon the receipt of the petition, the Board may, in its sole discretion, stay the proposed suspension and cause any investigation to be made which it deems desirable and may, in its sole discretion, grant the petition if the Board is satisfied that such a grant will not negatively impact the health, safety, or welfare of the Town, and that the payment of the fine will achieve the desired disciplinary purpose(s).
- (d) The decision of the Board to impose a sanction under this Section shall be final, subject only to the right of the Licensee to appeal the decision to the Grand County District Court pursuant to Colorado Rules of Civil Procedure, Rule 106.

**Sec. 6-5-16. Incorporation of state law.**

The provisions of the Colorado Marijuana Code, and any rules and regulations promulgated thereunder, are incorporated herein by reference, except to the extent that more restrictive or additional regulations are set forth in this Article, in which case the more restrictive regulations shall control.

**Sec. 6-5-17. Licensee Acknowledgements.**

Before issuing a License, the Board shall obtain written confirmation from an Applicant that the Applicant acknowledges, understands, and agrees to the following:

- (a) As of the date of the adoption of this Article, the cultivation, sale, possession, distribution and use of marijuana remains a violation of federal law, and this Article does not provide

Licensee, or Licensee's owners, agents, operators, employees, customers or clients, with any protection from criminal prosecution or civil liability under such federal law. Licensees and their owners, operators, employees, customers and clients assume any and all risk and liability under federal law arising or resulting from the operation of the Regulated Marijuana Store.

- (b) The Town, or any public officers, elected or appointed officials, employees, attorneys or agents of the Town, have no liability to a Licensee or any other Person for injuries, damages or liabilities of any kind, under any legal theory, arising out of the enforcement or application of any federal laws.
- (c) To the greatest extent permitted by law, any action taken under the provisions of this Article by any public officers, elected or appointed officials, employees, attorneys and agents of the Town, is not a personal liability of such person or of the Town.
- (d) Any documents and records submitted to the Town in regards to an application or License under this Article may be subject to disclosure pursuant to the Colorado Open Records Act.
- (e) By applying for a License under this Article, and (if approved and issued), by accepting a License from the Town, the Applicant/Licensee, and each of them, jointly and severally if more than one, agrees to indemnify, defend and hold harmless the Town, and any public officers, elected or appointed officials, employees, attorneys or agents of the Town, and each of them, against all liability, claims and demands, of any nature whatsoever arising out of or in any manner related to the operation of the Regulated Marijuana Store that is the subject of the License.

**Alex Merchant**

Grand Lake, CO 80447

5/15/2023

Dear Members of the City Council,

I am writing to express my interest in joining the City Council of Grand Lake as a Trustee. As a year-round resident of this city, I am deeply invested in the betterment of our community and want to play an active role in shaping its future. I am interested in serving on the City Council because I believe I can bring a unique perspective and valuable experience to the table.

Sincerely,

Alex Merchant

Erick L. Bishop

Grand Lake, CO 80447

May 14, 2023

Mayor Steve Kudron  
Grand Lake Board of Trustees  
Town Hall  
PO Box 99  
Grand Lake, CO 80447

To The Hon. Mr. Kudron and Grand Lake Trustees,

I would like to be considered for the position of Town Board Trustee. I am a resident of Grand Lake, and I am a current voter. My experience as a business owner here in the town of Grand Lake will influence my decisions in promoting a healthy economy whilst retaining the small town charm of Grand Lake.

I will listen to all viewpoints and ensure that citizens and other stakeholders are heard. I believe in common sense solutions and working with those having opposing viewpoints to come to a sensible compromise.

I will support the town's goals of creating family friendly workforce housing solutions in order to attract and retain a competent and innovative workforce, which will allow the economy to flourish and will also create a new generation of citizens who wish to work and live in Grand Lake, ensuring the continuity of the essential businesses and tourist attractions. Retaining the charm and natural beauty of the area is essential to maintain a strong tourism industry.

Thank you for your consideration.

Sincerely,

  
Erick Bishop



1026 Park Ave · PO Box 99  
Grand Lake, CO 80447  
970-627-3435  
www.townofgrandlake.com

To: Grand Lake Board of Trustees  
From: John Crone, Town Manager  
Re: Appointment of a Trustee to fill a Vacancy  
Date: May 22, 2023

### **Background**

Effective April 11, 2023, Daryn Packer has resigned his position as a Trustee for the Town of Grand Lake. Trustee Packer's resignation was necessitated by a change in her residence.

### **Filling the Vacancy**

When a vacancy occurs on the Board of Trustees, the next steps are dictated by both Colorado Revised Statute § 31-4-205 and Municipal Code § 2-3-5. The language of the state statute dictates a timeline for filling a vacancy:

- (2) Within sixty days after a vacancy occurs in the city council, the council shall:
  - (a) Appoint a person possessed of all statutory qualifications to fill the vacancy until the term of office of a successor elected at the next regular election has commenced as provided in section 31-4-105; or
  - (b) Order an election, subject to the municipal election code, to be held as soon as practicable to fill the vacancy until the term of office of a successor elected at the next regular election has commenced as provided in section 31-4-105.
- C.R.S. § 31-4-205(2)

The language governing the process is largely mirrored in the Municipal Code:

#### **Filling Vacancies in Elective Offices**

The Board of Trustees shall have power, by appointment, to fill all vacancies in the Board or in any other elected office, and the person so appointed shall hold office until the next regular election and until his successor is elected and qualified. If the term of the person creating the vacancy was to extend beyond the next regular election, the person elected to fill the vacancy shall be elected for the unexpired term. Where a vacancy or vacancies exist in the office of trustee and a successor or successors to be elected at the next election to fill the unexpired term or terms, the three candidates for trustee receiving the highest number of votes shall be elected to four-year terms and the candidate or candidates receiving the next highest number of votes, in descending order, shall be elected to fill the unexpired term or terms. (C.R.S. 31-4-301(5), 1973, 1979 Supp.)



1026 Park Ave · PO Box 99  
Grand Lake, CO 80447  
970-627-3435  
www.townofgrandlake.com

- Grand Lake Municipal Code § 2-3-5.

These requirements established Saturday, June 10, 2023, as the final date in which the Board of Trustees must appoint someone to fill the vacancy or schedule a special election. Whoever is selected to fill the vacancy will only fill the vacancy until a successor is elected in the April 9, 2024, election.

The Town's Municipal Code requires that all Trustees meet certain qualifications:

Trustees shall be qualified electors who have resided within the limits of the Town for a period of at least twelve (12) consecutive months immediately preceding the date of the election; provided that in case of annexation, any person who has resided within the annexed territory for the time prescribed shall be deemed to have met the residence requirements for the Town to which the territory was annexed. (C.R.S. 31-4-301(1), 1973)

- Grand Lake Municipal Code § 2-4-1.

The Board set a deadline of May 17, 2023, at 5:00 pm for the return of applications. The Board scheduled interviews with the candidates and decided to make the appointment at the regularly scheduled Board of Trustees' Meeting on May 22, 2023. Two qualified applicants turned in their paperwork by the deadline: Alex Merchant and Eric Bishop. If the Board chooses not to appoint one of the candidates, it must either select another candidate or set an election at this meeting.

### Motion

If the Board would like to appoint one of the candidates, it should do so by adopting the attached resolution with the following motion.

*I move to adopt Resolution 15-2023, Appointing (name) to Fill a Vacancy on the Board of Trustees.*

**TOWN OF GRAND LAKE  
RESOLUTION NO. 15- 2023**

**A RESOLUTION APPOINTING A NEW TRUSTEE TO FILL A VACANCY ON THE GRAND LAKE  
BOARD OF TRUSTEES**

**WHEREAS**, the Town of Grand Lake Municipal Code and Colorado State Statute dictate the composition of the Board of Trustees; and

**WHEREAS**, the resignation of Trustee Daryn Packer has created a vacancy on the Board of Trustees; and

**WHEREAS**, the Town of Grand Lake has followed all steps required by law to solicit a qualified person to fill said vacancy; and,

**WHEREAS**, the Board of Trustees of the Town of Grand Lake has determined that (name) is a qualified candidate.

**NOW THEREFORE BE IT RESOLVED BY THE GRAND LAKE BOARD OF TRUSTEES AS FOLLOWS:**

The Board of Trustees of Grand Lake, Colorado appoints (name) as a Trustee to fill the vacancy created by the resignation of Daryn Packer, with all the privileges and limitations as imposed by the Grand Lake Municipal Code and Colorado State Statutes thereof.

**DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THIS 22nd DAY OF MAY 2023.**

(SEAL)

Votes Approving:  
Votes Opposed:  
Absent:  
Abstained:

ATTEST:

TOWN OF GRAND LAKE

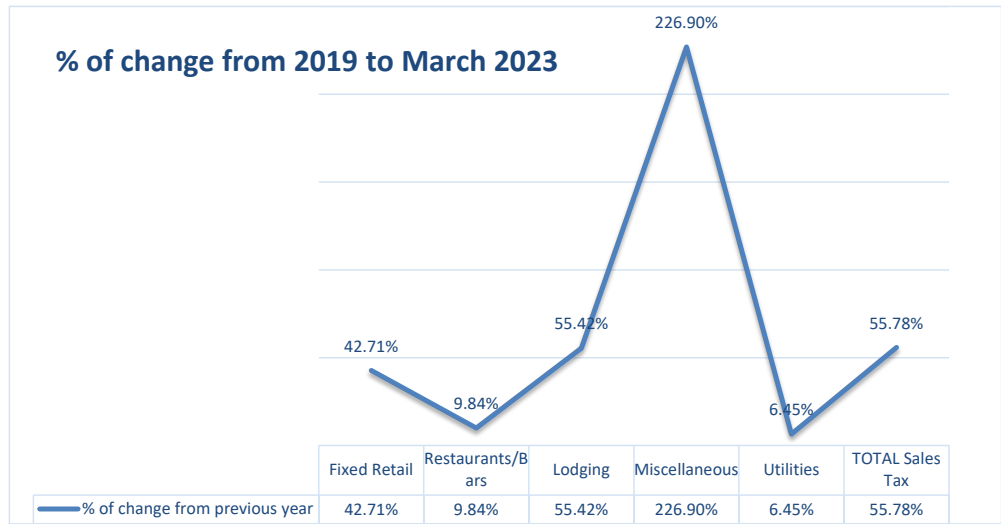
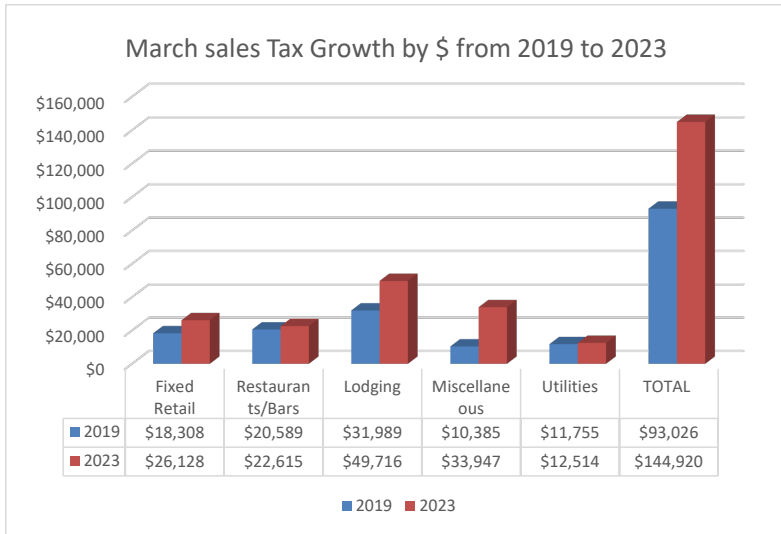
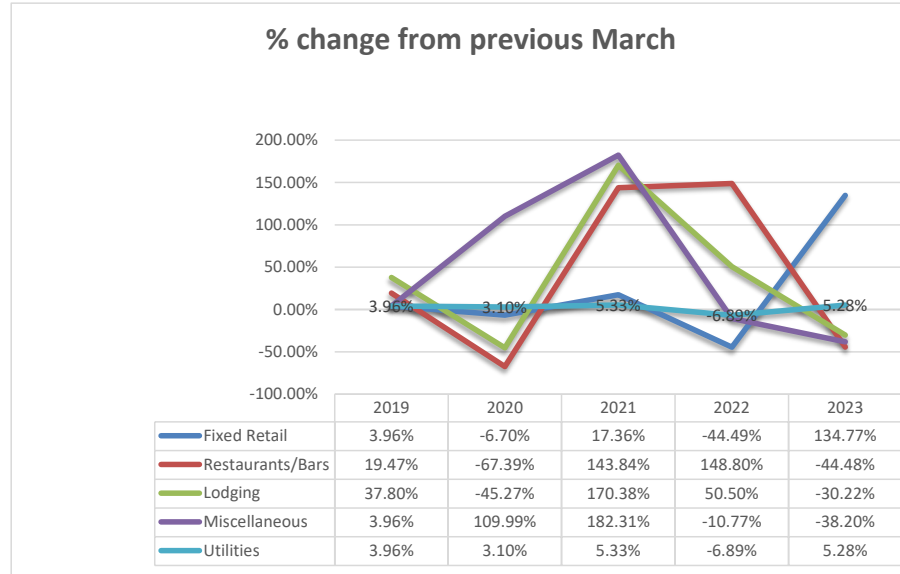
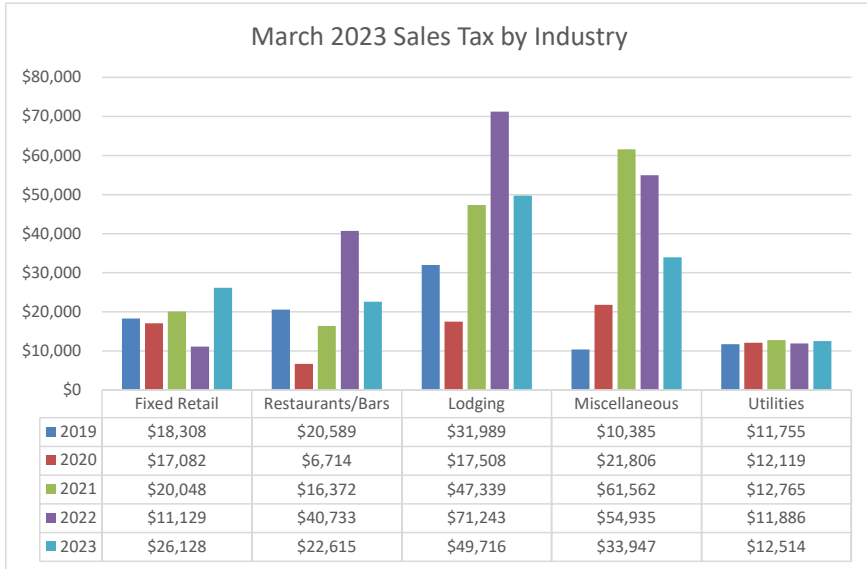
\_\_\_\_\_  
Alayna Carrell  
Town Clerk

\_\_\_\_\_  
Stephan Kudron  
Town Mayor

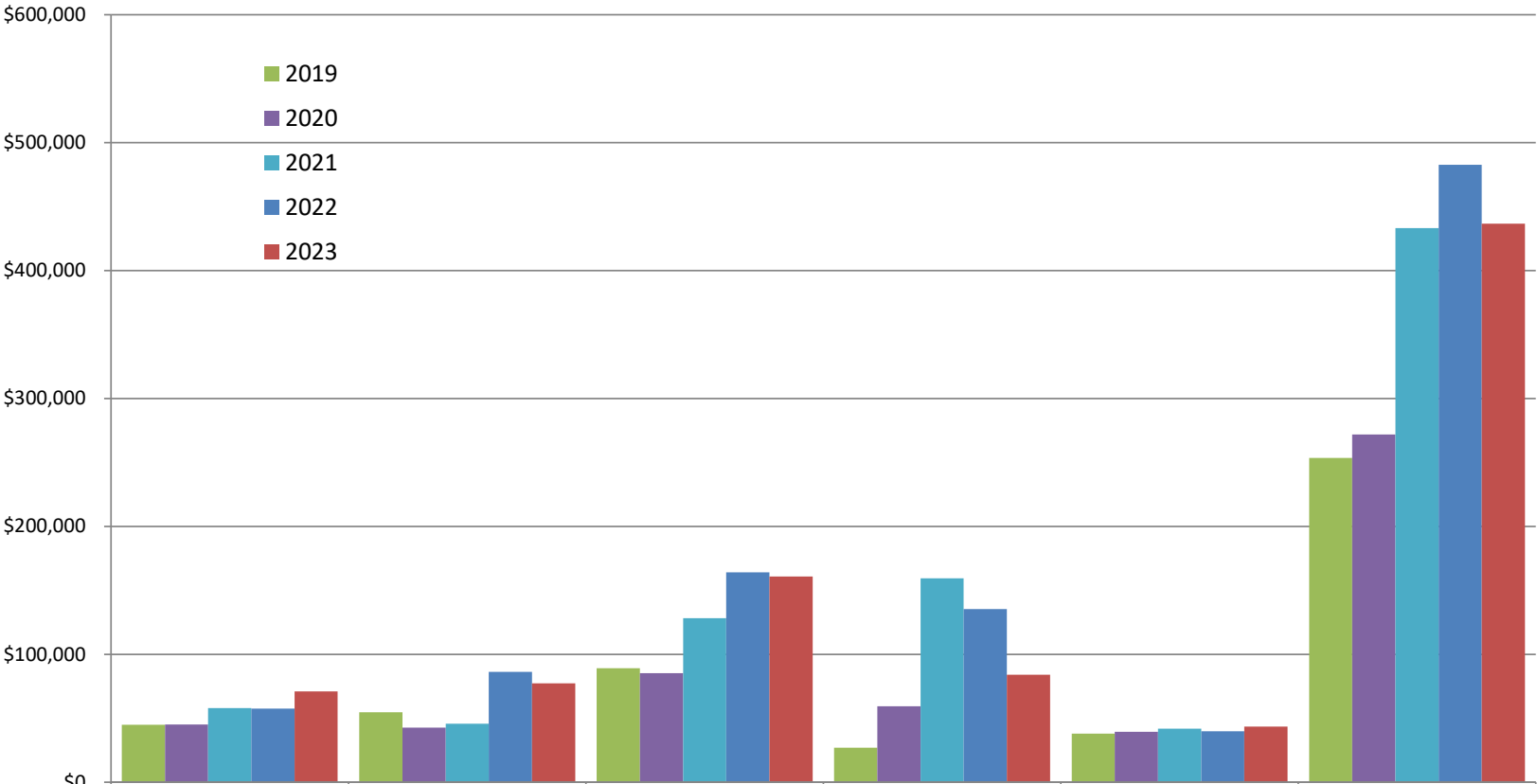


Town of Grand Lake will post Accounts Payable online after Board of Trustees Approves it.

Feel free to reach out to Heike Wilson, Treasurer at [hwilson@toglco.com](mailto:hwilson@toglco.com) or call 970-776-0779 if would like to view Accounts Payable before the Board of Trustees Approves it. List will be available the Thursday before the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month by request



### TOWN OF GRAND LAKE Sales Tax Collection by Industry for Year to Date 2019-2023 January through March YTD



	Fixed Retail	Restaurants/Bars	Lodging	Miscellaneous	Utilities	Total Year To Date
2019	\$44,842	\$54,601	\$89,139	\$27,052	\$37,884	\$253,517
2020	\$45,057	\$42,709	\$85,320	\$59,420	\$39,371	\$271,874
2021	\$58,044	\$45,705	\$128,193	\$159,354	\$41,811	\$433,104
2022	\$57,493	\$86,173	\$163,996	\$135,288	\$39,830	\$482,763
2023	\$70,981	\$77,242	\$160,810	\$84,048	\$43,498	\$436,572

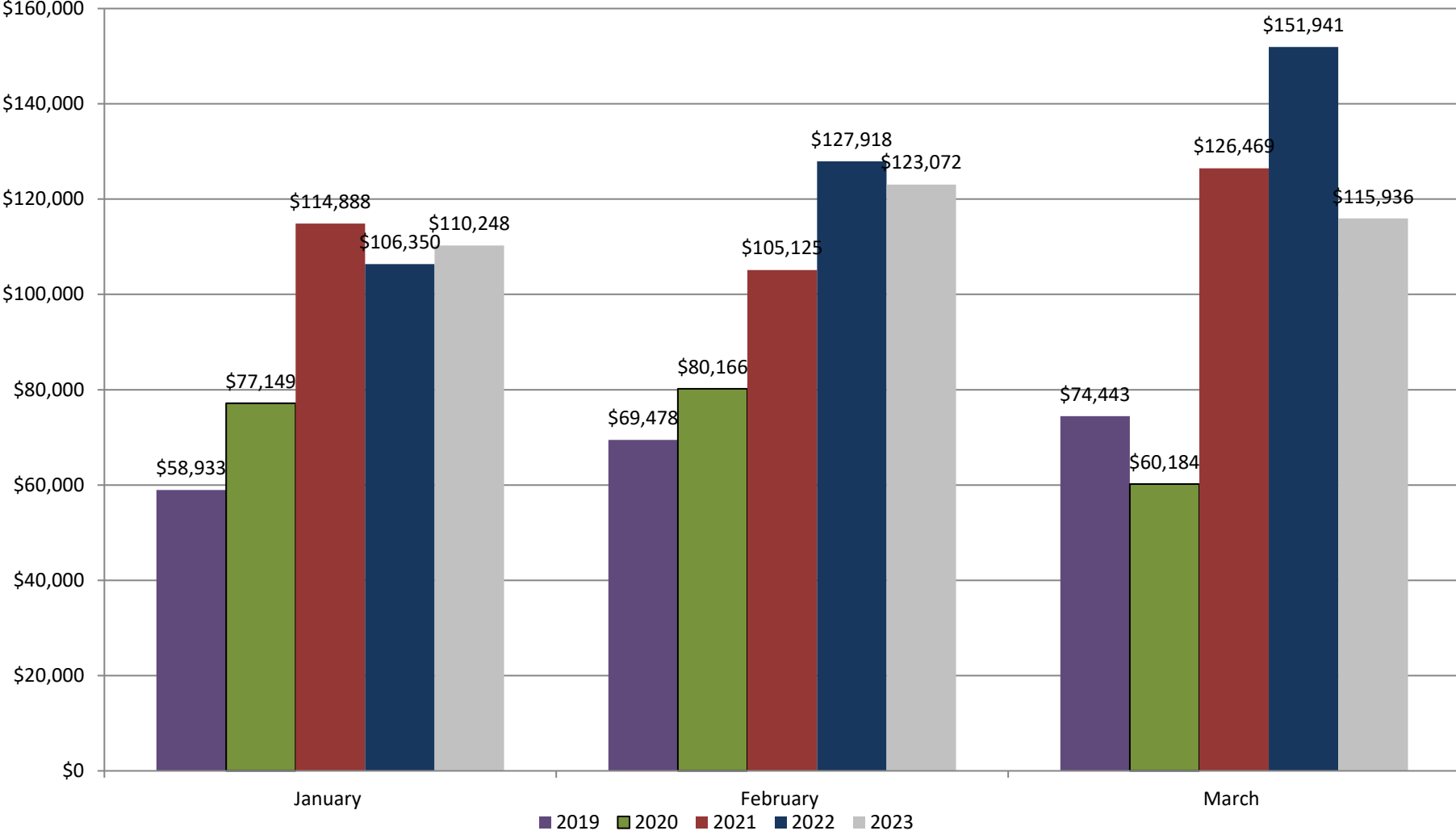
### 4% SALES TAX CASH FLOW REPORT: TOWN OF GRAND LAKE FISCAL YEAR 2023

Sales Month	2023	2022	2021	Fiscal Year 2020	2019
January	\$110,248	\$106,350	\$114,888	\$77,149	\$58,933
February	\$123,072	\$127,918	\$105,125	\$80,166	\$69,478
March	\$115,936	\$151,941	\$126,469	\$60,184	\$74,443
April		\$104,344	\$110,867	\$49,912	\$47,378
May		\$172,788	\$164,901	\$104,689	\$92,138
June		\$360,464	\$377,346	\$277,913	\$240,589
July		\$472,409	\$442,768	\$346,264	\$304,721
August		\$369,399	\$370,626	\$335,005	\$254,709
September		\$324,475	\$304,337	\$318,513	\$322,285
October		\$181,308	\$164,428	\$118,313	\$110,559
November		\$100,997	\$109,224	\$85,868	\$65,583
December		\$129,464	\$132,476	\$125,334	\$95,751

#### YEAR TO DATE CASH FLOW COMPARISON

	Year to Date Total	Percent of Budget	Percent change from previous Year to Date	Dollar change from previous Year to Date	Budgeted Amount
<b>2023</b>	\$349,255	14.94%	-9.57%	\$ (36,952.66)	\$2,337,968
<b>2022</b>	\$386,208	15.69%	11.47%	\$ 39,725.50	\$2,461,018
<b>2021</b>	\$346,483	19.89%	59.30%	\$ 128,983.48	\$1,741,825
<b>2020</b>	\$217,499	13.11%	7.22%	\$ 14,644.76	\$1,659,230
<b>2019</b>	\$202,854	14.50%	0.00%	\$ -	\$1,398,967
<b>2018</b>	\$202,854	15.97%	382.57%	\$ 160,817.77	\$1,270,354

### 4% SALES TAX CASH FLOW 2023 YTD through March



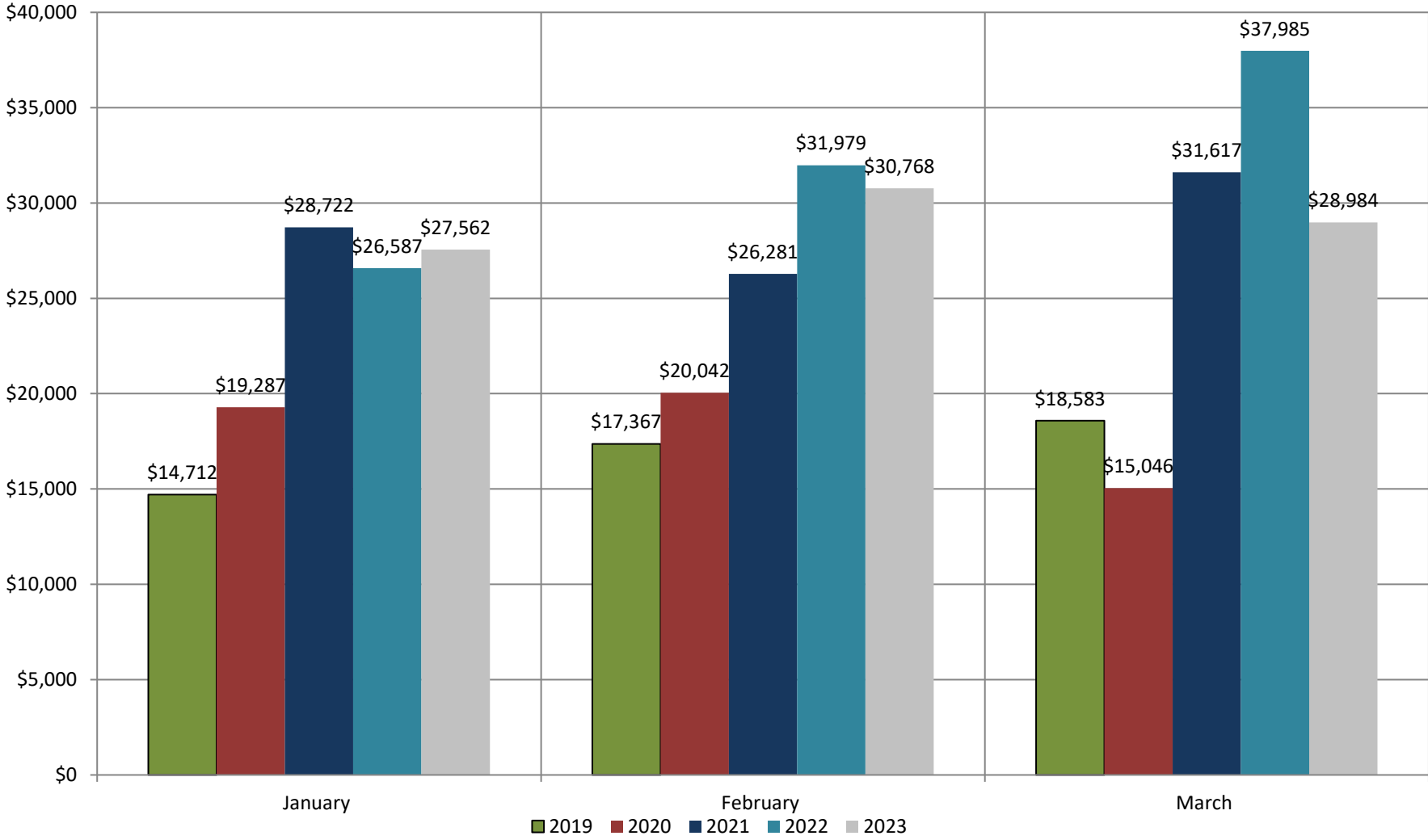
**1% SALES TAX CASH FLOW REPORT:  
TOWN OF GRAND LAKE  
FISCAL YEAR 2023**

Sales Month	2023	2022	2021	2020	FISCAL YEAR 2019
January	\$27,562	\$26,587	\$28,722	\$19,287	\$14,712
February	\$30,768	\$31,979	\$26,281	\$20,042	\$17,367
March	\$28,984	\$37,985	\$31,617	\$15,046	\$18,583
April		\$26,086	\$27,717	\$12,478	\$11,844
May		\$43,197	\$41,225	\$26,172	\$23,035
June		\$90,116	\$94,336	\$69,478	\$60,147
July		\$118,102	\$110,692	\$86,566	\$76,180
August		\$92,350	\$92,656	\$83,751	\$63,677
September		\$81,119	\$76,084	\$79,628	\$80,571
October		\$45,327	\$41,107	\$29,578	\$27,640
November		\$25,249	\$27,306	\$21,467	\$16,396
December		\$32,366	\$33,119	\$31,333	\$23,938

**YEAR TO DATE CASH FLOW COMPARISON**

	Year to Date Total	Percent of Budget	Percent change from previous Year to Date	Dollar change from previous Year to Date	Budgeted Amount
<b>2023</b>	\$87,314	14.94%	-9.57%	\$ (9,238)	\$584,250.00
<b>2022</b>	\$96,552	15.69%	11.47%	\$ 9,931	\$615,252.00
<b>2021</b>	\$86,621	19.91%	59.30%	\$ 32,246	\$435,000.00
<b>2020</b>	\$54,375	12.20%	7.33%	\$ 3,713	\$445,635.00
<b>2019</b>	\$50,662	14.24%	#DIV/0!	\$ 50,662	\$355,882.00

# 1% SALES TAX CASH FLOW 2023 YTD through March





May 22, 2023

**Applicant:** Grand Lake Area Chamber of Commerce

**Initiated by:** Stephanie Conners

**Presented By:** Alayna Carrell, Town Clerk

**Introduction:** An application for a Special Event Liquor Permit was received from the Grand Lake Area Chamber of Commerce with supporting documentation, and appropriate fees.

The request is to sell malt, vinous and spirituous liquor, as well as fermented malt beverages by the drink for consumption on the premises only for their event, "Buffalo Days" to be held August 19, 2023, from 12:00 p.m. to 12:00 a.m. at Lakefront Park, located at 1117 Lake Avenue. The Grand Lake Area Chamber of Commerce qualifies for a Special Events Liquor Permit as it is incorporated with the State of Colorado as a non-profit and has not received more than 15 Special Events Liquor License Permits for 2023, this is their first request.

The Board must investigate the application and could deny the permit if its issuance would injure the public welfare by reason of the nature or location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations.

**Neighborhood Boundaries:** The town limits of Grand Lake are the neighborhood boundaries. The proposed location is at Lakefront Park, located at 1117 Lake Avenue which is more than 500 feet from any educational institution; therefore, State Statute does not prohibit liquor from being sold from this location.

**Financial Details:** The respective license fees have been paid.

**Background Check:** The application was turned over to the Grand County Sheriff's Office, they found no adverse information that would affect the issuance of the license.

**Legal Requirements:**

**Posting:** Notice of Hearing was posted, May 9, 2023, at: 1117 Lake Avenue

**Attachments:** Application for a Special Events Permit & a Diagram of the Premises

**Staff Recommendation**

Staff recommends the Town Board approve the Grand Lake Area Chamber of Commerce Special Event Liquor Permit, for their event "Buffalo Days".

Town of Grand Lake  
1026 Park Avenue  
P.O. Box 99  
Grand Lake, CO 80447

# Application for a Special Events Permit

Departmental Use Only

Section 11, Item A.

State Only Permit/State Property

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following** (See back for details.)

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Social | <input type="checkbox"/> Athletic                           | <input checked="" type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal         | <input type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate                  |
| <input type="checkbox"/> Patriotic         | <input type="checkbox"/> National Organization or Society   | <input type="checkbox"/> Municipality Owned Arts Facilities   |
| <input type="checkbox"/> Political         | <input type="checkbox"/> Religious Institution              |   |

<b>LIAB</b> Type of Special Event Applicant is Applying for:	<b>DO NOT WRITE IN THIS SPACE</b>
2110 <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170 <input checked="" type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate  
Grand Lake Area Chamber of Commerce State Sales Tax Number (Required)

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) Po Box 429 Grand Lake, Co 80447	3. Address of Place to Have Special Event (include street, city/town and ZIP) 1117 Lake Avenue Grand Lake, Colorado 80447
--	--

4. Authorized Representative of Qualifying Organization or Political Candidate <span style="margin-left: 100px;">Emily Hagen</span>	Date of Birth	Phone Number
--	---------------	--------------

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

5. Event Manager <span style="margin-left: 100px;">Stephanie Connors</span>	Date of Birth	Phone Number
--	---------------	--------------

Event Manager Home Address (Street, City, State, ZIP)	Email Address of Event Manager
---	--------------------------------

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes How many days? _____	7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? <input type="checkbox"/> No <input type="checkbox"/> Yes License Number _____
---	--

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed?  Yes  No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To
8/19/23	12:00 pm.	12:00 am.												

**Oath of Applicant**

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature	Title	Date
-----------	-------	------

**Report and Approval of Local Licensing Authority (City or County)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

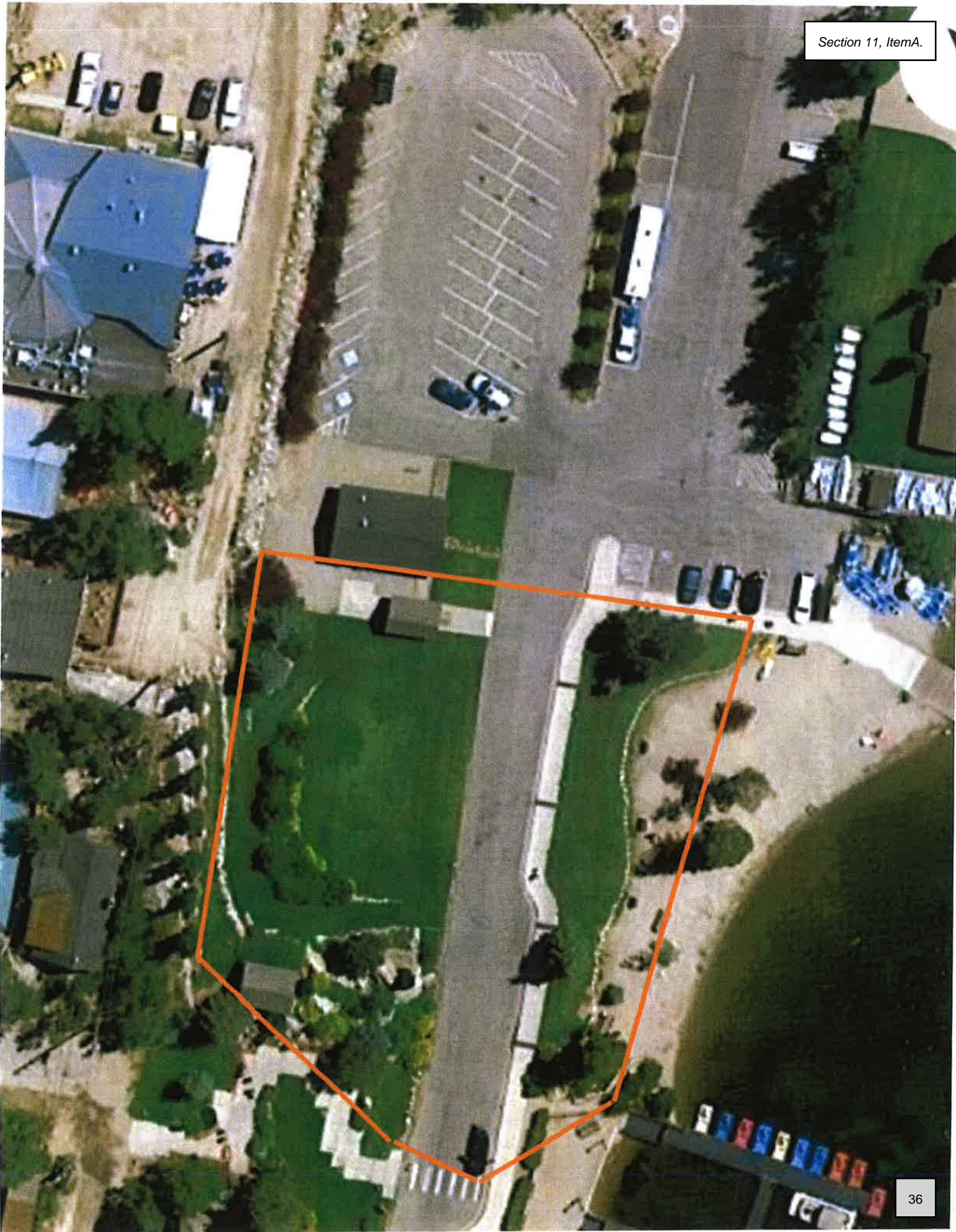
**THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	<input type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk
--	--	---------------------------------------

Signature	Title	Date
-----------	-------	------

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$





May 22, 2023

**Applicant:** Grand Lake Area Chamber of Commerce

**Initiated by:** Stephanie Conners

**Presented By:** Alayna Carrell, Town Clerk

**Introduction:** An application for a Special Event Liquor Permit was received from the Grand Lake Area Chamber of Commerce with supporting documentation, and appropriate fees.

The request is to sell malt, vinous and spirituous liquor, as well as fermented malt beverages by the drink for consumption on the premises only for their event, "Buffalo Days" to be held August 18, 2023, from 2:00 p.m. to 12:00 a.m. and August 19, 2023, from 9:00 a.m. to 5:00 p.m. in Grand Lake Town Park, located at 1025 Grand Avenue. The Grand Lake Area Chamber of Commerce qualifies for a Special Events Liquor Permit as it is incorporated with the State of Colorado as a non-profit and has not received more than 15 Special Events Liquor License Permits for 2023, this is their second request.

The Board must investigate the application and could deny the permit if its issuance would injure the public welfare by reason of the nature or location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations.

**Neighborhood Boundaries:** The town limits of Grand Lake are the neighborhood boundaries. The proposed location is Grand Lake Town Park, located at 1025 Grand Avenue which is more than 500 feet from any educational institution; therefore, State Statute does not prohibit liquor from being sold from this location.

**Financial Details:** The respective license fees have been paid.

**Background Check:** The application was turned over to the Grand County Sheriff's Office, they found no adverse information that would affect the issuance of the license.

**Legal Requirements:**

**Posting:** Notice of Hearing was posted, May 9, 2023, at: Grand Lake Town Park, 1025 Grand Avenue

**Attachments:** Application for a Special Events Permit & a Diagram of the Premises

**Staff Recommendation**

Staff recommends the Town Board approve the Grand Lake Area Chamber of Commerce Special Event Liquor Permit, for their event "Buffalo Days".

Town of Grand Lake  
 1026 Park Avenue  
 P.O. Box 99  
 Grand Lake, CO 80447

# Application for a Special Events Permit

Departmental Use Only

Section 11, Item B.

State Only Permit/State Property

In order to qualify for a Special Events Permit, You Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Social | <input type="checkbox"/> Athletic                           | <input checked="" type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal         | <input type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate                  |
| <input type="checkbox"/> Patriotic         | <input type="checkbox"/> National Organization or Society   | <input type="checkbox"/> Municipality Owned Arts Facilities   |
| <input type="checkbox"/> Political         | <input type="checkbox"/> Religious Institution              |   |

<b>LIAB</b> Type of Special Event Applicant is Applying for:	<b>DO NOT WRITE IN THIS SPACE</b>
2110 <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170 <input checked="" type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate State \_\_\_\_\_ ad)  
 Grand Lake Area Chamber of Commerce

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) Po Box 429 Grand Lake, Co 80447	3. Address of Place to Have Special Event (include street, city/town and ZIP) 1026 Park Avenue Grand Lake, Colorado 80447
---	---

4. Authorized Representative of Qualifying Organization or Political Candidate Emily Hagen	Date of Birth	Phone Number
---	---------------	--------------

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

5. Event Manager Stephanie Conners	Date of Birth	Phone Number
---------------------------------------	---------------	--------------

Event Manager Home Address (Street, City, State, ZIP)	Email Address of Event Manager
---	--------------------------------

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes How many days? _____	7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? <input type="checkbox"/> No <input type="checkbox"/> Yes License Number _____
---	--

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed?  Yes  No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Date	Date	Date	Date
8/18/23	8/19/23			
Hours From 2:00 pm.	Hours From 9:00 a.m.	Hours From .m.	Hours From .m.	Hours From .m.
To 12:00 a.m.	To 5:00 p.m.	To .m.	To .m.	To .m.
Date	Date	Date	Date	Date
Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To .m.	To .m.	To .m.	To .m.	To .m.
Date	Date	Date	Date	Date
Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To .m.	To .m.	To .m.	To .m.	To .m.

**Oath of Applicant**

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature	Title	Date
-----------	-------	------

**Report and Approval of Local Licensing Authority (City or County)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.  
**THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	<input type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk
--	--	---------------------------------------

Signature	Title	Date
-----------	-------	------

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

Liability Information			Total
License Account Number	Liability Date	State	
		-750 (999)	\$



Grand Lake Town Hall



Juniper Library



Town Square Park





May 22, 2023

**Applicant:** Fire on the Mountain Inc.

**Initiated by:** Stephanie Conners

**Presented By:** Alayna Carrell, Town Clerk

**Introduction:** An application for a Special Event Liquor Permit was received from Fire on the Mountain Inc. with supporting documentation, and appropriate fees.

The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their event, "Troublesome Fest" to be held September 8, 2023, from 12:00 p.m. to 11:00 p.m. and September 9, 2023, from 6:00 a.m. to 2:00 a.m. at Lakefront Park, located at 1117 Lake Avenue. Fire on the Mountain Inc. qualifies for a Special Events Liquor Permit as it is incorporated with the State of Colorado as a non-profit and has not received more than 15 Special Events Liquor License Permits for 2023, this is their first request.

The Board must investigate the application and could deny the permit if its issuance would injure the public welfare by reason of the nature or location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations.

**Neighborhood Boundaries:** The town limits of Grand Lake are the neighborhood boundaries. The proposed location is at Lakefront Park, located at 1117 Lake Avenue which is more than 500 feet from any educational institution; therefore, State Statute does not prohibit liquor from being sold from this location.

**Financial Details:** The respective license fees have been paid.

**Background Check:** The application was turned over to the Grand County Sheriff's Office, they found no adverse information that would affect the issuance of the license.

**Legal Requirements:**

**Posting:** Notice of Hearing was posted, May 9, 2023, at: 1117 Lake Avenue

**Attachments:** Application for a Special Events Permit & a Diagram of the Premises

**Staff Recommendation**

Staff recommends the Town Board approve the Special Event Liquor Permit for Fire on the Mountain Inc.

Town of Grand Lake  
1026 Park Avenue  
P.O. Box 99  
Grand Lake, CO 80447

# Application for a Special Events Permit

Departmental Use Only

Section 11, Item C.

State Only Permit/State Property

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following** (See back for details.)

- |                                    |   |   |
|------------------------------------|---|---|
| <input type="checkbox"/> Social    | <input type="checkbox"/> Athletic                           | <input checked="" type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate                  |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> National Organization or Society   | <input type="checkbox"/> Municipality Owned Arts Facilities   |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution              |   |

<b>LIAB</b> Type of Special Event Applicant is Applying for:	<b>DO NOT WRITE IN THIS SPACE</b>
2110 <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170 <input type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate  
Fire on The Mountain Inc (Troublesome Fest) State Sales Tax Number (Required)

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) <span style="font-size: 1.2em; color: blue;">PO Box 1903 Grand Lake, CO 80447</span>	3. Address of Place to Have Special Event (include street, city/town and ZIP) <span style="font-size: 1.2em; color: blue;">Gene Stover Lakefront Park 1117 Lake Ave Grand Lake, CO 80447</span>
---	--

4. Authorized Representative of Qualifying Organization or Political Candidate  
Stephanie Connors Date of Birth | Phone Number

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

5. Event Manager  
Stephanie Connors Date of Birth | Phone Number

Event Manager Home Address (Street, City, State, ZIP) 97

Email Address of Event Manager

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes How many days? _____	7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes License Number _____
---	---

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed?  Yes  No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To	Date	Hours From	To
<span style="color: blue;">9/8/2023</span>	<span style="color: blue;">12:00p.m.</span>	<span style="color: blue;">11:00p.m.</span>	<span style="color: blue;">9/9/2023</span>	<span style="color: blue;">6:00a.m.</span>	<span style="color: blue;">2:00a.m.</span>									

**Oath of Applicant**

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature <span style="font-size: 1.2em; color: blue;">Stephanie Connors</span>	Title <span style="font-size: 1.2em; color: blue;">Executive Director</span>	Date <span style="font-size: 1.2em; color: blue;">4/27/23</span>
---	--	--

**Report and Approval of Local Licensing Authority (City or County)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

**THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	<input type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk
Signature	Title	Date

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$



Google





May 22, 2023

**Applicant:** Bicycle Colorado

**Initiated by:** Sabra Nagel

**Presented By:** Alayna Carrell, Town Clerk

**Introduction:** An application for a Special Event Liquor Permit was received from Bicycle Colorado with supporting documentation, and appropriate fees.

The request is to sell malt, vinous and spirituous liquor, as well as fermented malt beverages by the drink for consumption on the premises only for their event, "Ride the Rockies" to be held June 13, 2023, from 8:00 a.m. to 8:00 p.m. at Lakefront Parking Lot, on Lake Avenue. Bicycle Colorado qualifies for a Special Events Liquor Permit as it is incorporated with the State of Colorado as a non-profit and has not received more than 15 Special Events Liquor License Permits for 2023, this is their first request.

The Board must investigate the application and could deny the permit if its issuance would injure the public welfare by reason of the nature or location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations.

**Neighborhood Boundaries:** The town limits of Grand Lake are the neighborhood boundaries. The proposed location is at Lakefront Parking Lot, located on Lake Avenue which is more than 500 feet from any educational institution; therefore, State Statute does not prohibit liquor from being sold from this location.

**Financial Details:** The respective license fees have been paid.

**Background Check:** The application was turned over to the Grand County Sheriff's Office, they found no adverse information that would affect the issuance of the license.

**Legal Requirements:**

**Posting:** Notice of Hearing was posted, May 10, 2023, at: Lakefront Parking Lot, Lake Avenue

**Attachments:** Application for a Special Events Permit & a Diagram of the Premises

**Staff Recommendation**

Staff recommends the Town Board approve the Bicycle Colorado Special Event Liquor Permit, for their event "Ride the Rockies" on June 13,2023 at Lakefront Park.

Town of Grand Lake  
 1026 Park Avenue  
 P.O. Box 99  
 Grand Lake, CO 80447

# Application for a Special Events Permit

Departmental Use Only  
Section 11, Item D.

State Only Permit/State Property

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)**

- |                                    |   |   |
|------------------------------------|---|---|
| <input type="checkbox"/> Social    | <input checked="" type="checkbox"/> Athletic                | <input type="checkbox"/> Philanthropic Institution          |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate                |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> National Organization or Society   | <input type="checkbox"/> Municipality Owned Arts Facilities |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution              |   |

LIAB Type of Special Event Applicant is Applying for:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	Liquor Permit Number
2170 <input checked="" type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate State Sales Tax Number (Required)  
Bicycle Colorado

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) 1525 Market Street #100, Denver, CO. 80202	3. Address of Place to Have Special Event (include street, city/town and ZIP) Lake Ave, Grand Lake, CO 80447 <i>Lakefront Parking Lot</i>
---	---

4. Authorized Representative of Qualifying Organization or Political Candidate Date of Birth Phone Number  
Pete Piccolo

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

5. Event Manager Date of Birth Phone Number  
Sabra Nagel

Event Manager Home Address (Street, City, State, ZIP) Email Address of Event Manager

6. Has Applicant Organization or Political Candidate been issued a Special Event Permit this Calendar Year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes How many days? _____	7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes License Number _____
---	---

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed?  Yes  No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date	Date	Date	Date	Date
06/13/23				
Hours From 8am.m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To 8pm.m.	To .m.	To .m.	To .m.	To .m.
Date	Date	Date	Date	Date
Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To .m.	To .m.	To .m.	To .m.	To .m.
Date	Date	Date	Date	Date
Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To .m.	To .m.	To .m.	To .m.	To .m.

**Oath of Applicant**

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature <i>David Benjes</i>	Title Technical Director	Date 04/21/23
----------------------------------	-----------------------------	------------------

**Report and Approval of Local Licensing Authority (City or County)**

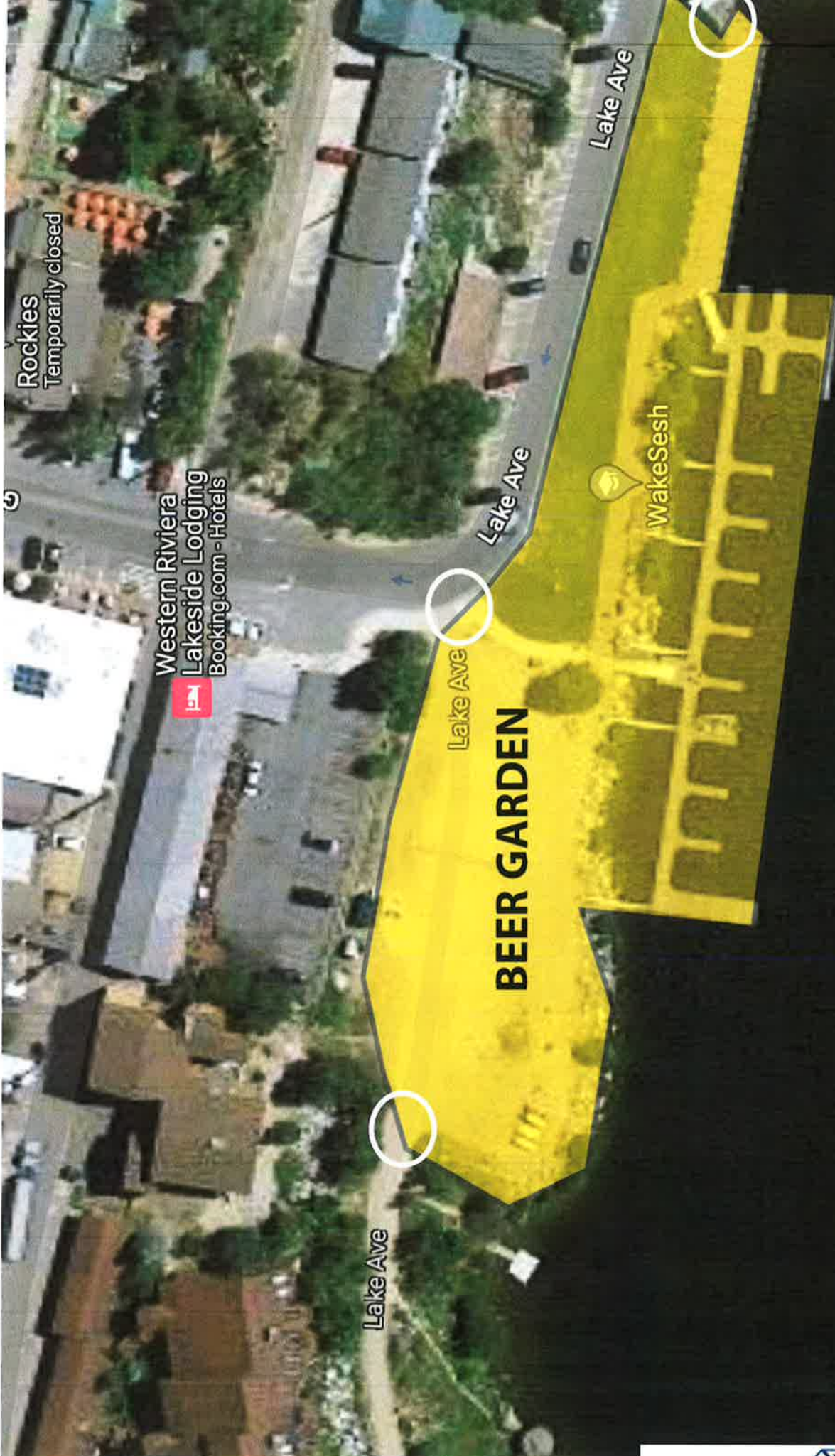
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.  
**THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)  City  County Telephone Number of City/County Clerk

Signature	Title	Date
-----------	-------	------

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

Liability Information			
License Account Number	Liability Date	State	Total
		-750 (999)	\$ .



○ Beer Garden Entry/Exit points



# Grand Lake Board of Trustees

## Bid Award Notification for Stormwater Analysis & Design Services

To: Mayor Kudron and Trustees  
From: Kimberly White, Community Development Director presented by Mike Cassio, President of Three Lakes Watershed Association  
Date 05/18/2023  
Re: Bid Award Notification for Stormwater Analysis & Design Services

**Purpose:**

To inform the Board of Trustees of the decision by Three Lakes Watershed Association (TLWA) to award Stormwater Analysis & Design Services Consultant to produce a Stormwater Management Plan (SWMP) for the Town of Grand Lake in response to the posted request for proposal (RFP) on March 1<sup>st</sup>, 2023.

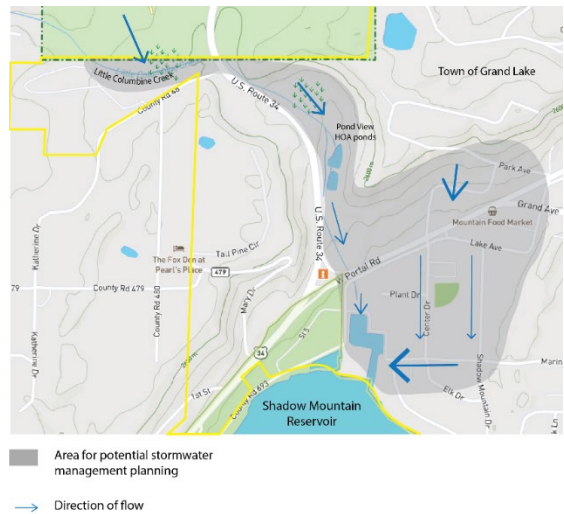
**Background:**

Staff worked in partnership with TLWA to submit an application and scope of work to the Grand Foundation for the Windy Gap Environmental Fund (WGEF) to issue a grant for \$100,000.

The Grand Foundation, working with the WGEF Oversight Committee, reviewed the scope of work and finalized the award on 16 May 2023 to TLWA, a 501(c)(3) organization. TLWA is working in partnership with the Town of Grand Lake to distribute \$85,000 of the funds for the SWMP.

**Analysis:**

A consultant will be hired to provide the best approach for improving the stormwater from the western side of Town that reaches Shadow Mountain Reservoir and subsequently Grand Lake. This part of the watershed will be evaluated by the firm to determine which design interventions could be possible and most beneficial to decrease sediment and contaminants from the roadways, snowmelt and runoff, and increase infiltration to improve water quality in Shadow Mountain Reservoir and Grand Lake.



A request for proposal (RFP) was published March 1<sup>st</sup>, 2023 for 4 weeks and 55 environmental consulting and civil engineering firms reviewed the documents. Staff received five bids submissions, of which, the three lowest qualified bidders were interviewed by TLWA and Town Staff for clarification and discussion on their bids.

After reviewing the information from all three firms, Watervation provided all of the requested deliverables, including the final construction plans, operations and maintenance manual, and final SWMP within the budget, while the other two firms would not be able to complete the additional tasks under the budget without cutting major areas of the scope of work.

**Proposed Motion:**

I move to approve the selection of Watervation as the contractor for the Grand Lake Stormwater Management Plan Project.



**FEE ESTIMATE**  
**Grand Lake Stormwater Management Plan**

TASK	DESCRIPTION	WaterVation Staff				Subtotal	
		Principal Water Resources Engineer (Babbitt)	Water Resources Project Manager (Johnson)	Water Resources Technician (Barnett)			
		\$165	\$145	\$98			
<b>TASK #1: Inventory</b>							
1.1	Baseline data collection of site and project area	32	32			\$ 9,920	
1.2	Meeting with Team (By phone or during Site Assessment)	2	2			\$ 620	
1.3	Project Management (invoices, meeting minutes, schedule updates)	16				\$ 2,640	
1.4	Pre-Construction Water Quality Report (Includes Sample Collection)		8			\$ 1,160	
1.5	Topographic map			4		\$ 392	
1.6	Soils Report (Included in Geotechnical Subconsultant Price)					\$ -	
<b>Total Task #1</b>						<b>\$ 14,732</b>	
<b>TASK #2: Analysis</b>							
2.1	Analyze existing stormwater system	2	32	8		\$ 5,754	
2.2	Evaluate water quality needs and reporting		12	4		\$ 2,132	
2.3	Evaluate monitoring locations and needs and reporting	2		4		\$ 722	
2.4	Develop proposed stormwater solutions	8	40	12		\$ 8,296	
2.5	Develop public outreach plan and reporting	4	2			\$ 950	
2.6	Existing conditions mapping			8		\$ 784	
2.7	Proposed stormwater solutions plan	2	16			\$ 2,650	
<b>Total Task #2</b>						<b>\$ 21,288</b>	
<b>TASK #3: Stormwater Management Plan Preliminary Design</b>							
3.1	Preliminary Stormwater Management Plan	2	16	16		\$ 4,218	
3.2	Preliminary Stormwater Management Report	4	12	16		\$ 3,968	
3.3	Preliminary Construction Documents (Assume 5 - 7 locations)	8	32	40		\$ 9,880	
3.4	Preliminary Proposed Plan Public Meeting Presentation	6	6			\$ 1,860	
3.5	Final Report & Data Records	1	6	8		\$ 1,819	
<b>Total Task #3</b>						<b>\$ 21,745</b>	
<b>TASK #4: Stormwater Management Plan Final Design</b>							
4.1	Final Stormwater Management Plan	2	12	8		\$ 2,854	
4.2	Final Stormwater Management Report	2	8	8		\$ 2,274	
4.3	Final Construction Documents (Assume 5 - 7 locations)	4	20	24		\$ 5,912	
4.4	Final Operations and Maintenance Manual		8	4		\$ 1,552	
4.5	Available Funding Options	8				\$ 1,320	
<b>Total Task #4</b>						<b>\$ 13,912</b>	
<i>Professional Services (subtotal, hours):</i>		<b>105</b>	<b>264</b>	<b>164</b>	<b>0</b>	<b>533</b>	
<i>Professional Services (sub total, fee):</i>		\$ 17,325	\$ 38,280	\$ 16,072	\$ -	\$ 71,677	
<b>Direct Costs</b>				<b>QUANTITY</b>	<b>UNIT</b>	<b>RATE</b>	<b>Extended</b>
RTK GNSS Survey Equipment				5	Day	\$ 350.00	\$ 1,750
Mileage				2000	Miles	\$ 0.61	\$ 1,220
Lodging				4	Day	\$ 300.00	\$ 1,200
Geotechnical SubConsultant and Soil Borings				1	EA	\$ 9,900.00	\$ 9,900
<b>Not to Exceed Total</b>						<b>\$ 85,747</b>	

# Town of Grand Lake Stormwater Management Plan

03/30/2023



**Prepared by: WaterVation**

130 West Sackett Avenue, Unit A  
Salida, CO 81201



**Prepared for: Town of Grand Lake**

1026 Park Avenue  
Grand Lake, CO 80447

# Cover Letter

March 30th, 2023

## RE: Grand Lake Stormwater Management Plan

Dear Members of the Selection Committee,

We are excited to share our qualifications, understanding, and approach for the Grand Lake Stormwater Management Plan solicitation for the Town of Grand Lake. WaterVation is a Colorado owned water resources engineering firm with a small business designation headquartered in Salida, CO. We have reviewed Request for Proposal (RFP) and are qualified to execute the required tasks.

At WaterVation we are experienced in working within a variety of environments and with agencies and communities with varying resources. Because of this we recognize the challenges that come with different projects as well as the need to get high value for the investments they make in engineering services. We are excited to team with you and provide:

**Superior Customer Service** – We understand that when you hire a consultant you are not only hiring us to provide technical services, but you are also hiring us to serve as an extension of your staff. To us this means providing timely communication, thorough documentation, and establishing an organized project file structure that can be easily shared and accessed by all team members. We encourage you to contact our existing and past clients, who can vouch for our commitment to superior customer service.

**Technical Expertise** – All projects and experience listed in this proposal are directly attributed to individuals employed at WaterVation. Because of this, the Town can take comfort in knowing that the WaterVation staff has direct experience and can immediately provide support or guidance without needing support from a broader range of company expertise.

**Guaranteed Availability** – We have carefully reviewed our backlog and are committed to providing The Town of Grand Lake with full access to our resources during the contract period. WaterVation has a high standard of care when it comes to estimating our availability. We are a small engineering firm, and we pride ourselves in doing high-quality work. One of the ways we accomplish this is by maintaining a reasonable workload and not overbooking ourselves. Our philosophy is to do an excellent job on a few projects than a mediocre job on several.

**Stream Restoration Expertise** - WaterVation is regionally recognized stream restoration firm that strives to restore both the natural look and function of impaired stream systems. Our philosophy towards restoring and stabilizing impaired stream systems is to restore the natural characteristics of the stream system using the fundamental principles of natural channel design that incorporates expertise from our team of engineers, biologists, ecologists, and geomorphologists. We believe this experience will be extremely beneficial to the Little Columbine Creek component of the Project.

Sincerely,



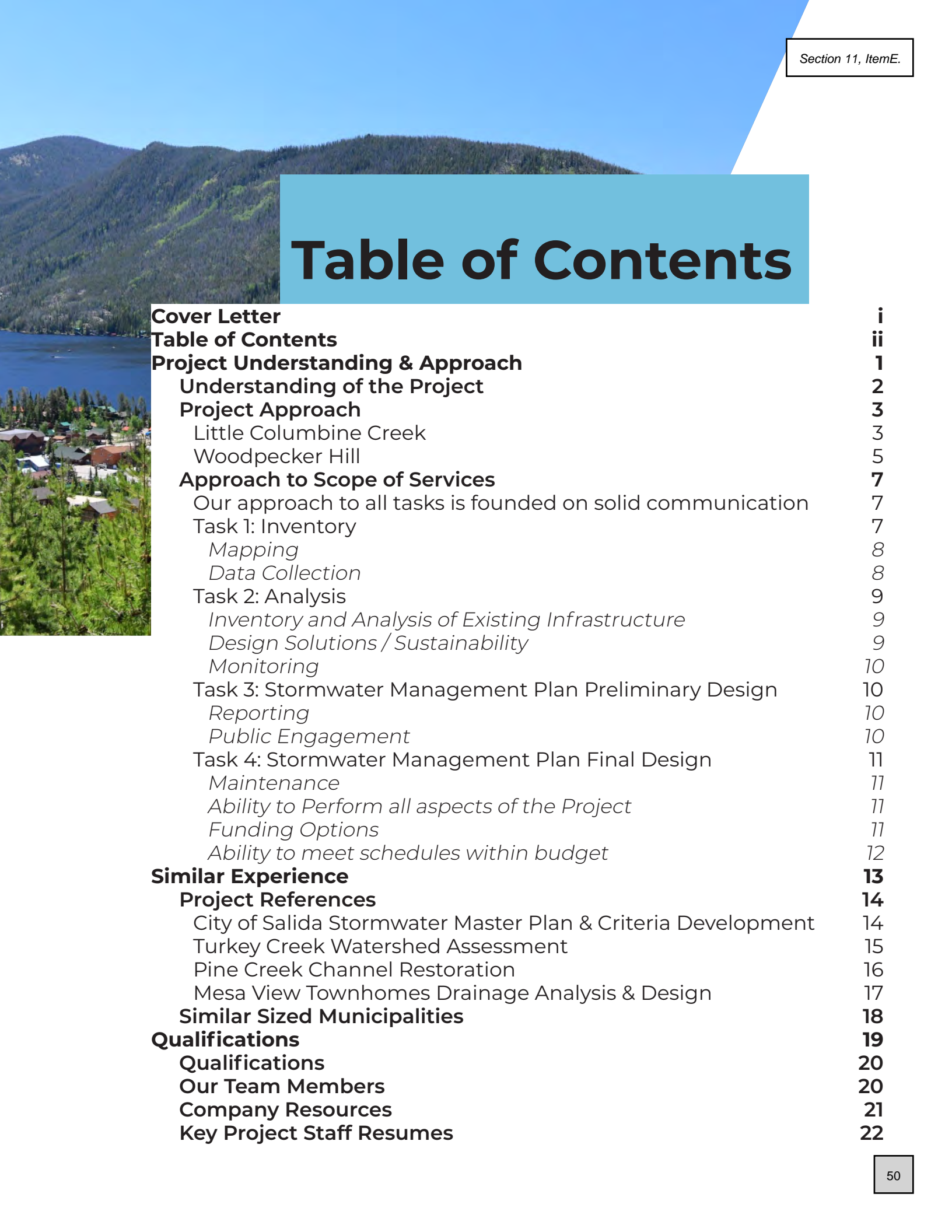
**Lucas Babbitt, PE, CFM**

Principal Water Resources Engineer  
WaterVation, PLLC  
130 West Sackett Avenue, Unit A  
Salida, CO 81201  
lucas.babbitt@water-vation.com  
720-273-9183



**Matthew Johnson, PE, CFM**

Water Resources Project Manager  
WaterVation, PLLC  
130 West Sackett Avenue, Unit A  
Salida, CO 81201  
matthew.johnson@water-vation.com  
719-337-8604



# Table of Contents

<b>Cover Letter</b>	<b>i</b>
<b>Table of Contents</b>	<b>ii</b>
<b>Project Understanding &amp; Approach</b>	<b>1</b>
<b>Understanding of the Project</b>	<b>2</b>
<b>Project Approach</b>	<b>3</b>
Little Columbine Creek	3
Woodpecker Hill	5
<b>Approach to Scope of Services</b>	<b>7</b>
Our approach to all tasks is founded on solid communication	7
Task 1: Inventory	7
<i>Mapping</i>	8
<i>Data Collection</i>	8
Task 2: Analysis	9
<i>Inventory and Analysis of Existing Infrastructure</i>	9
<i>Design Solutions / Sustainability</i>	9
<i>Monitoring</i>	10
Task 3: Stormwater Management Plan Preliminary Design	10
<i>Reporting</i>	10
<i>Public Engagement</i>	10
Task 4: Stormwater Management Plan Final Design	11
<i>Maintenance</i>	11
<i>Ability to Perform all aspects of the Project</i>	11
<i>Funding Options</i>	11
<i>Ability to meet schedules within budget</i>	12
<b>Similar Experience</b>	<b>13</b>
<b>Project References</b>	<b>14</b>
City of Salida Stormwater Master Plan & Criteria Development	14
Turkey Creek Watershed Assessment	15
Pine Creek Channel Restoration	16
Mesa View Townhomes Drainage Analysis & Design	17
<b>Similar Sized Municipalities</b>	<b>18</b>
<b>Qualifications</b>	<b>19</b>
<b>Qualifications</b>	<b>20</b>
<b>Our Team Members</b>	<b>20</b>
<b>Company Resources</b>	<b>21</b>
<b>Key Project Staff Resumes</b>	<b>22</b>



# Project Understanding & Approach

Watersheds to the north of The Town of Grand Lake (Town) have experienced different forms of hydromodification since its founding in 1879. More recently, continued development and climate change has led to further hydromodification. The East Troublesome Fire (2020) burnt land that was previously vegetated and reduced the ability of native soils to infiltrate runoff by creating hydrophobic soil conditions. The combination of these two impacts has resulted in an increased amount of stormwater runoff and sediment being contributed to Little Columbine Creek, and ultimately Shadow Mountain Reservoir. Water quality within the Shadow Mountain Reservoir has been adversely impacted by the excess sediment being delivered from this watershed along with the other contaminants that adsorb to sediment particles.

The Woodpecker Hill area represents a more common form of hydromodification: urban development. Through Development Woodpecker Hill is comprised of impervious surfaces such as roads, houses, driveways, and parking lots. When impervious surfaces are constructed on previously undeveloped land peak flows are increased since the native landscape is no longer able to slow and infiltrate rainfall. This can lead to flooding, increased erosion, and transport of urban contaminants that adsorb to sediment particles (such as hydrocarbons). This can be viewed in Figure 1 from 1990 in comparison to the recent aerial imagery in 2019 (Figure 2).

We understand that The Town of Grand Lake, the Three Lakes Watershed Association, and others have worked to improve the quality of water in Shadow Mountain Reservoir, Granby Reservoir, and Grand Lake - with a focus on water quality, especially clarity issues. Improvements to the quality of stormwater runoff entering the Shadow Mountain Reservoir will be addressed through this Project and will work in tandem with these broader efforts.

The primary goal of this Project is to develop cost-effective stormwater management solutions that integrate natural resource management. It is our understanding that this goal can be achieved by:

- 1 Designing Low Impact Development (LID) stormwater management techniques that are focused on restoring natural hydrologic processes of the site, and that are incorporated in a contextually-sensitive way within existing conditions.
- 2 Developing stormwater management practices that establish requirements for maintaining predevelopment hydrology through site, building, and landscape design techniques focused infiltrating, filtering, storing, evaporating, and detaining stormwater close to its source.
- 3 Enhancing public safety by reducing the quantity of contaminants entering the reservoir through proper implementation of LID and stormwater management practices.
- 4 Reducing public expenditures by reducing the quantity of sediment and pollutants that are conveyed within stormwater drainage systems and natural resource areas through proper implementation of LID and stormwater management practices.

**Figure 1: Grand Lake 1990**

**Figure 2: Grand Lake 2019**



# Project Approach

## Little Columbine Creek

Increased sediment loading within Little Columbine Creek due to the effects from the East Troublesome Fire could persist for the next few years based on typical watershed responses to fire impacts. Once the sediments deposit into Shadow Mountain Reservoir they become costly and difficult to remove due to costs associated with dredging of materials and costs and efforts to locate the subsurface sediment depositions. Addressing the post-wildfire sedimentation issues at the source or in designated and pre-defined areas is typically the most effective and cost-effective solution for mitigation.

We understand that the Town has a limited footprint to work within to achieve the desired outcome in the Little Columbine Creek corridor. Our approach for improving the water quality within Little Columbine Creek is mainly centered around sediment storage and capture. We have studied the Project area and have identified two potential solutions for capturing excess sediments prior to them entering Shadow Mountain Reservoir:

<b>Option 1:</b> <b>Constructed Sediment Basins within Town Boundary (Figure 3).</b>	<b>Option 2:</b> <b>Low-Tech Process-Based Techniques within Wetland Complex (Figure 4).</b>
Descriptive Details: Capture and store sediments from the fire impacted watershed to prevent impacts to receiving waterbodies.	Descriptive Details: Purpose is to engage multiple flow paths, slow water, encourage infiltration and sediment deposition
<b>Benefits</b> <ul style="list-style-type: none"> <li>• Stockpiling and maintenance can be conveniently located</li> <li>• Capture sediment before it interacts with the natural environment</li> </ul>	<b>Benefits</b> <ul style="list-style-type: none"> <li>• Wetlands naturally filter pollutants and store sediment</li> <li>• Low maintenance, natural solution</li> </ul>
<b>Challenges</b> <ul style="list-style-type: none"> <li>• Ongoing maintenance will be required</li> <li>• Spatial constraints</li> </ul>	<b>Challenges</b> <ul style="list-style-type: none"> <li>• Working within wetlands (permitting)</li> <li>• Risk of sediment over filling wetlands and requiring maintenance</li> </ul>

We recognize that addressing the impacts of the fire closer to the source for Little Columbine Creek is also an effective way of mitigating the post-wildfire sediment impacts. It is our understanding that broader efforts are being completed within the watershed by Northern Water, USFS, and others and that these mitigation strategies are outside the scope of this project. However, WaterVation is capable of identifying and designing solutions in this manner, if desired.

These solutions would mitigate impacts to the Shadow Mountain Reservoir caused by fire-generated sediments and improve water quality through natural infiltration. The ideal solution will be a result of the inventory and analysis of the stormwater management plan in collaboration with the Team, as identified in the RFP, and public engagement.

Figure 3 (Right):  
Constructed  
Sediment  
Basins within  
Town Boundary



Figure 4 (Left):  
Low-Tech  
Process-Based  
Techniques  
within Wetland  
Complex.

# Woodpecker Hill

It is our understanding that the Woodpecker Hill area represents a more traditional urban pollutant water quality problem where household and roadside pollutants interact with stormwater runoff and fine sediments and are transported into the receiving waterbodies, affecting water quality downstream.

In these more urban settings techniques generally fall under two approaches: infiltration or treatment. Given the goals of the Project, we will focus our efforts on the natural infiltration methods. Soil and percolation tests will be required to determine the feasibility of infiltration as a technique.

Within the infiltration options they typically fall into two categories:

- Dispersion of flow across an infiltration surface
- Storage and capture of runoff for infiltration

Our plan would be to look at both of these options, and place them within the appropriate landscape location within the study area. A few options for site specific LID approaches are presented below. How these options may work within the study area are conceptually shown in Figure 8.

These options represent a few LID solutions for improving water quality within the Woodpecker Hill area. We expect that these methods and options will be further refined following the inventory and collaboration with The Town of Grand Lake.

## Grass Swales

are useful infiltration techniques where ditches may be located, or where ditches should be located. These can slow and infiltrate runoff, improving water quality to the receiving water body.

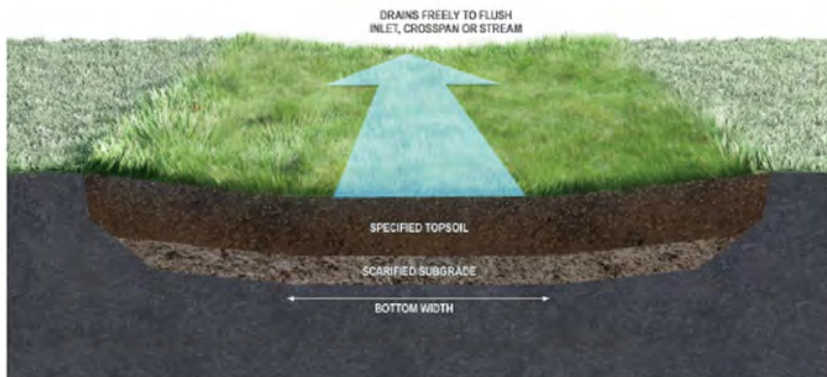


Figure 5: Colorado Springs Green Infrastructure Manual

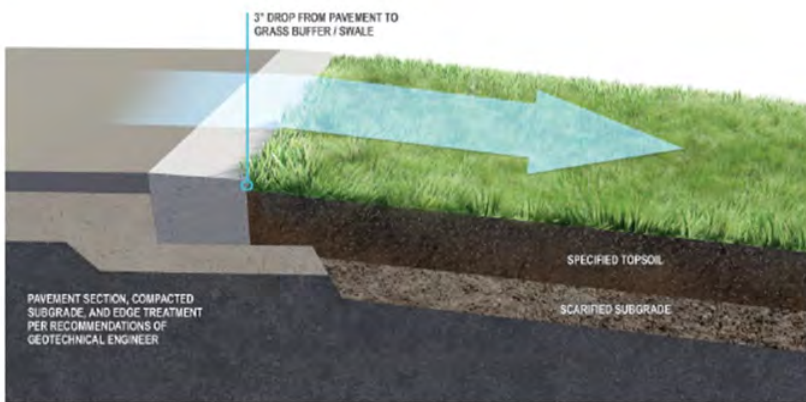


Figure 6: Colorado Springs Green Infrastructure Manual

## Vegetated Buffers

should be placed in locations where the natural landscape map slope away from paved areas, or even at the base of steep hillside in the case of this study area. These are flat areas that disperse flow and don't form concentrated flow paths. While overland flow passes through these areas the runoff is slowed and infiltrated.

## Bioretention

is very useful in site specific locations. Runoff is directed to

these low-lying storage areas where runoff ponds and then infiltrates. These should be placed in areas where pavement can drain to a low spot, such as a parking lot or a larger developed area. These features can range in size and can be flexibly adapted to landscape context.



Figure 7: Mile High Flood District Criteria Manual

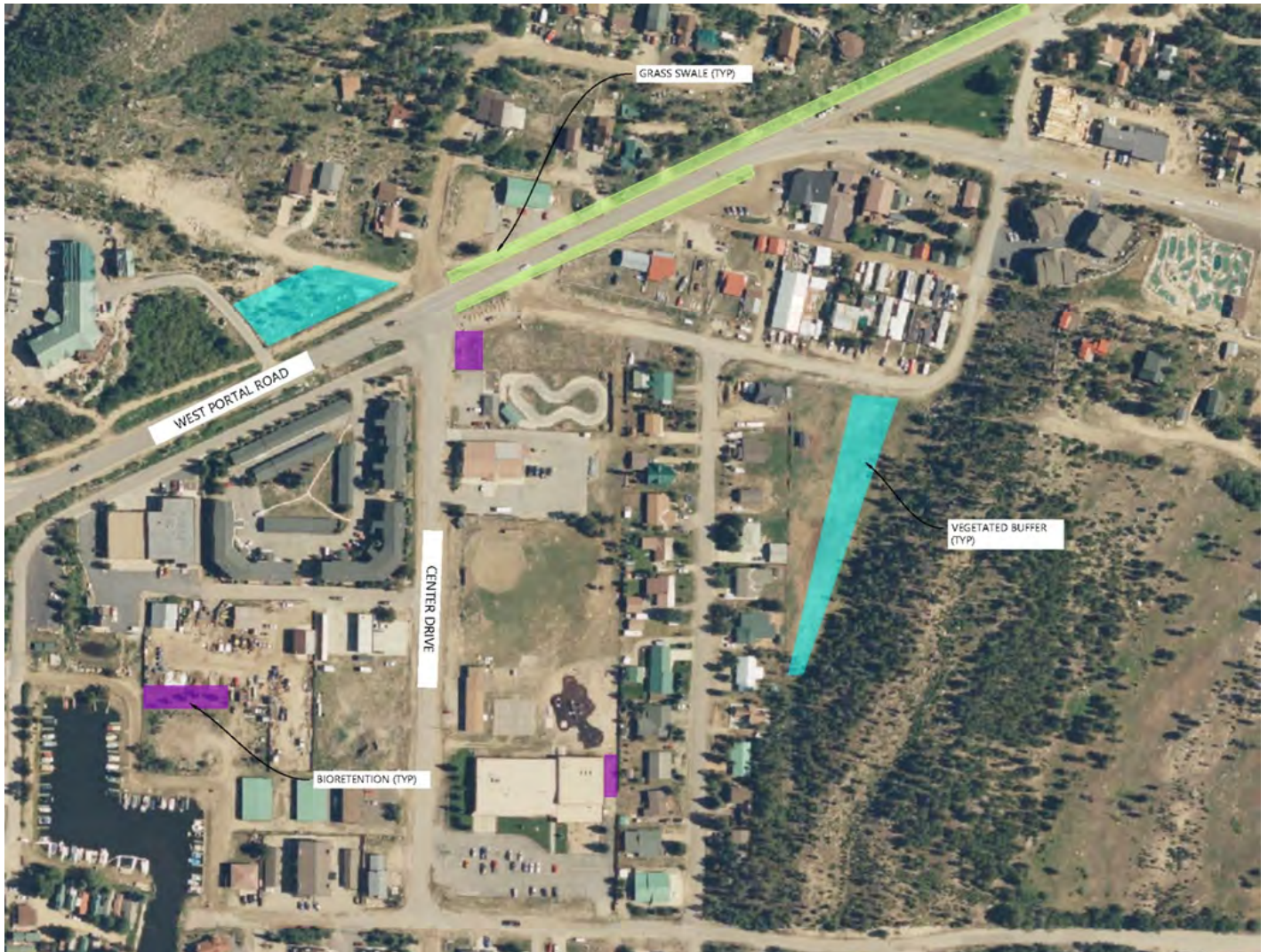

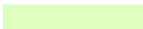



Figure 8 (Above):  
Site specific LID approaches within the study area.

### Legend

	VEGETATED BUFFER
	GRASS SWALE
	BIORETENTION

# Approach to Scope of Services

## Our approach to all tasks is founded on solid communication

Communication and collaboration are the foundation for any successful design. The Kickoff Meeting provides an opportunity to discuss critical project elements including definition of goals and objectives, regular project meetings, scheduling, public outreach, etc.

We will also facilitate a discussion with all involved to develop answers to the following question: what defines a successful project? We feel this is an important question to ask and develop responses to prior to beginning a project. This is because public projects typically involve many different stakeholders, with different expertise, interests, and backgrounds. Therefore, one person's definition of success could be significantly different than another's.

Internally, WaterVation schedules progress meetings amongst its team members at intervals established in the work plan. These meetings include an update on progress, review of the schedule and fee, and discussion of any obstacles that may affect the product, schedule, or fee. Designers and engineers are required to immediately discuss any design issues with the Project Manager supervising the work. Notes are taken at the meetings and sent to all attendees via email.

Since we are a small company we routinely and constantly communicate

as a team. We have found with a small team that communication lapses are rare, and that schedules and priorities are easily understood by all team members.

Our subconsultants will be required to provide the same level of detail as WaterVation for task scoping, man-hour estimates, and progress reports throughout the contract. WaterVation has extensive experience leading large teams on federal contracts where detailed reporting is required, such as our Fountain Creek Channel Stabilization at Riverside project.

Project coordination meetings will occur at the time and frequency discussed in the Kickoff Meeting. The purpose of these meetings is to provide The Town of Grand Lake with:

- An overview of recent project progress.
- An update on scope, schedule, and budget.
- Information related to design issues, changes, unforeseen circumstances, etc.
- A summary of next steps and action items.
- Some projects could require that Our Team proactively engage stakeholders to understand specific concerns, goals, and ideas for moving forward. This input is needed from a range of stakeholders, including federal, state, and local agency partners, and property owners. The overall goal of the engagement process is to develop broadly supported decisions that are reflected in the project.

## Task 1: Inventory

The first task will involve the baseline data collection of the study area to support the plan. We plan on collecting all data during that timeframe as well as meeting with The Town of Grand Lake and Stakeholders to discuss the objectives and goals of the project and important communication items.

Data collection will include:

- Topography
- Stormwater Infrastructure (pipes, ponds, other features)
- Soil Analysis
- Water Quality Data
- Drainageways
- Geomorphic Assessment

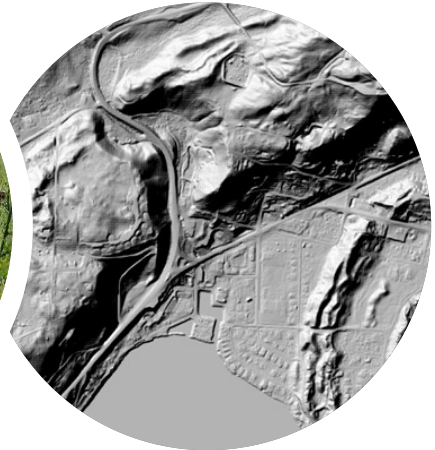
Following completion of the inventory we will provide the required deliverables in addition to the ongoing Project Management deliverables. Scope items associated with this task are elaborated upon on the following pages.



WaterVation Survey Equipment



Field Survey



Grand Lake LiDAR

We perform all topographic survey work in-house for cost and scheduling efficiency. WaterVation owns and operates Trimble R8s/R12 RTK GNSS Survey Equipment that we use for topographic and geomorphic surveys. We have been trained in tying into established control points along with setting our own control points. The benefit of performing our own survey work is the elimination of schedule delays due to surveyor scheduling or the need to re-send a surveyor to the site to capture additional points. As designers and modelers, we know the exact data needs for a given project and stream system.

We also own and operate a DJI Mavic 2 Pro Drone. This allows us to capture recent aerial imagery and photogrammetry for project sites.

The Town of Grand Lake is covered under the 2020 Northwest Colorado LiDAR. This data is relatively recent and accurate and can serve as the baseline mapping. This data will be supplemented by in house survey data to capture items like storm drain inverts that require additional accuracy.

## Data Collection

Baseline water quality data will be collected at key locations so that the effectiveness of the stormwater management strategies can be documented. We agree with the baseline parameters the Town has suggested:

- Total Suspended Solids (TSS)
- Bacteria Count
- Dissolved Oxygen
- PH
- Temperature
- Clarity



Samples will be analyzed by a laboratory and provided to The Town of Grand Lake with all information related to time of collection, location, and any other observations.

WaterVation's subconsultant Cesare, Inc who WaterVation partnered with on the City of Salida Stormwater Master Plan will perform soil boring and analysis (soil type, horizons, percolations) to determine feasibility of LID solutions within the Woodpecker Hill area. We anticipate no more than five soil borings will be needed to gain an understanding of soil conditions.

# Task 2: Analysis

During the analysis phase of the Project we will assess the existing storm system using the data collected in Task 1. This will include an evaluation of water quality and monitoring plan requirements. We will develop proposed stormwater solutions following the goals and objectives of the plan as presented in the RFP. We will also work with The Town of Grand Lake to develop a public outreach plan.

The deliverables requested in the RFP will be provided as part of this task. Scope items associated with this task are elaborated on below.

## Inventory and Analysis of Existing Infrastructure

We will create a comprehensive inventory of all stormwater infrastructure within the study area. A database of all stormwater infrastructure will be collected in a GIS database for ease of sharing and use. We will be able to analyze the existing system for the Woodpecker Hill area using the EPA Storm Water Management Model (SWMM). WaterVation has completed this analysis previously for the City of Salida Stormwater Master Plan and for the City of Colorado Springs within the Pine Creek Watershed.

The SWMM model will include Little Columbine Creek to understand the routing of flows, impacts of storage, and culvert infrastructure. In addition, we believe that a geomorphic assessment of Little Columbine Creek would be beneficial for baselining conditions within the system and understanding the impacts from sediments to water quality. From the EPA:

*Disturbances such as floods or forest fires are natural, episodic events that cause a stream to become unbalanced. After such disturbances, the stream will “seek” equilibrium conditions through adjustment of the other components until the stream is once again in a form that allows it to efficiently perform its functions of water and sediment discharge.*

*These periodic disturbances, of natural intensity and frequency, can increase aquatic biodiversity by creating opportunities for some species and scaling back the prevalence of others. When disturbances are of extreme intensity or frequency, as many human disturbances are, a stream channel will undergo adjustment to a new form. This can result in habitat degradation and threats to public safety and infrastructure.*

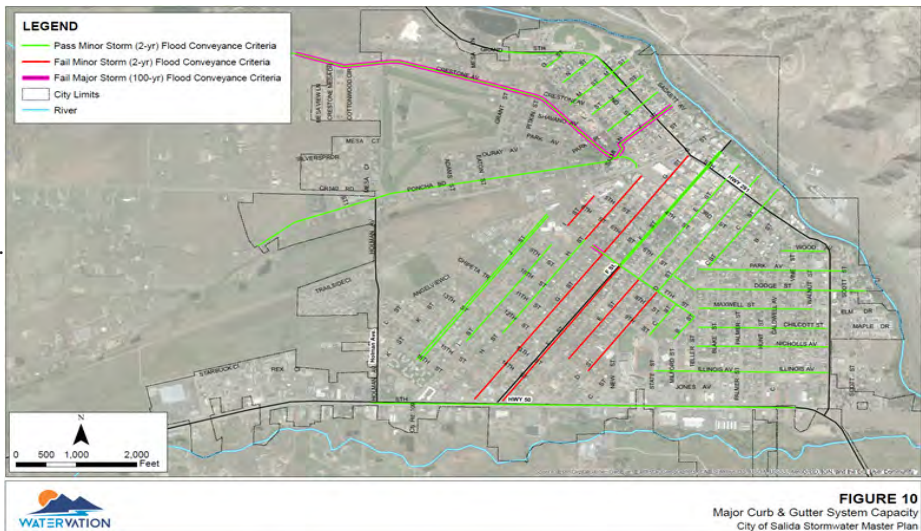
We will gain a better understanding of how Little Columbine Creek may adjust to the fire impacted watershed conditions and how that will affect water quality and potential risks to infrastructure. The assessment will make sure that any proposed designs would be in-line with Little Columbine Creek’s geomorphic trajectory.

## Design Solutions / Sustainability

We understand that the Town wishes to implement low cost, natural LID solutions that help decrease the resource allocation of the Town. We will prioritize low maintenance stormwater solutions that work within the natural landscape while providing effective stormwater quality treatment.

Sustainability of the solutions will be important when considering how it will perform over time. Choosing native drought-tolerant plants and seed mixes helps minimize irrigation requirements. Considering the watershed and potential future development and how fine sediment can potentially clog infiltration features is another important aspect to consider when assessing the long-term suitability of a feature.

The design solutions will be documented in the stormwater management plan.



**FIGURE 10**  
Major Curb & Gutter System Capacity  
City of Salida Stormwater Master Plan

## Monitoring

As part of the stormwater management plan, we will provide monitoring recommendations that document all requirements to maintain a successful monitoring program.

Performance of infiltration features as it relates to reduction of stormwater pollutant loading, runoff volume, and peak flows into receiving waters could diminish over time. That is why monitoring plan will be important to long-term success of the solution measures. Monitoring at the receiving waters will be important as well as specific site solutions to understand long-term performance towards achieving the ultimate goal of improving water quality.

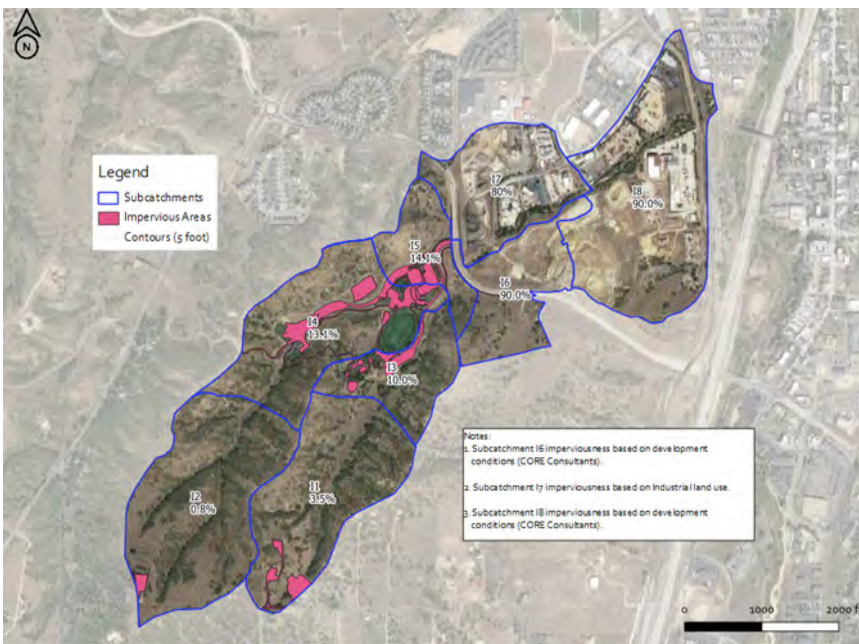
## Public Engagement



Our Team's proven performance in managing public involvement processes will ensure that the following expectations will be met. Our Team commits to the following; providing accurate, understandable

and accessible information to the public. Respond to questions in an effective manner, providing multiple ways of participating in the project process that are accessible to different stakeholders and constituencies, including vulnerable, underserved and displaced community members, adapting the public involvement approach as needed to be responsive to stakeholders' needs within the scope of the project and resource or time constraints.

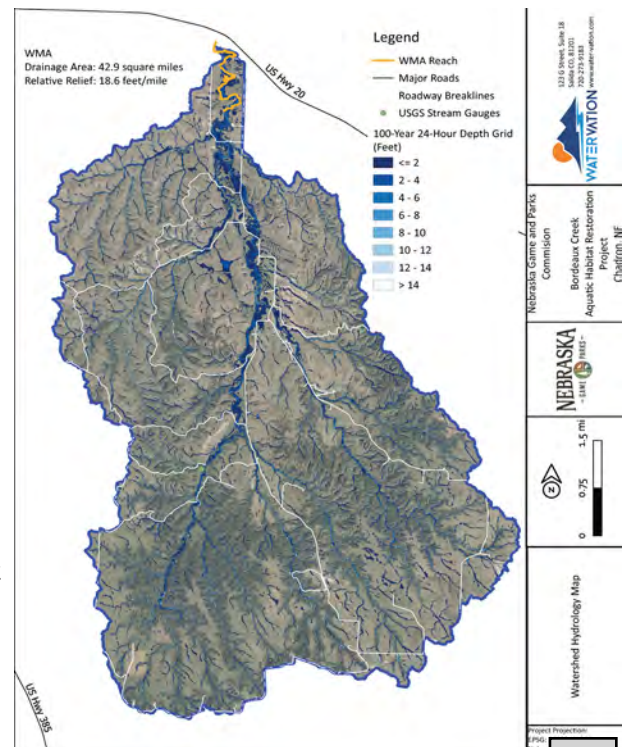
## Task 3: Stormwater Management Plan Preliminary Design



This task involves development of the preliminary stormwater management plan. This will include construction documents for proposed solutions and development of preliminary plans and reporting. We will prepare a presentation for a public meeting to communicate the plan to the public and additional stakeholders.

## Reporting

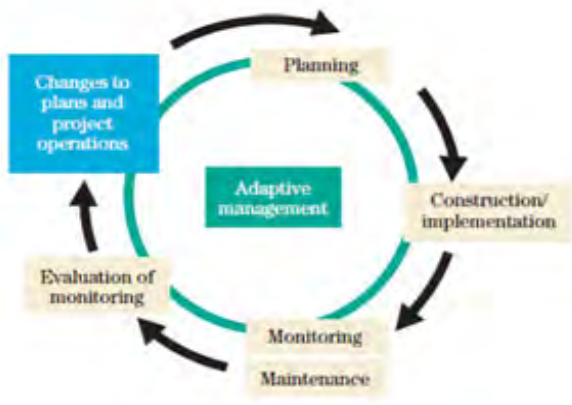
WaterVation will develop a stormwater management plan that documents all investigations, project findings, methodology, and project approach. This plan will support all design decisions towards development of the concept plan and will provide rigorous supporting evidence and rationale for the decision processes.



Following input from the public meeting and from The Town of Grand Lake, we will finalize the plan from Task 3. This task also includes the development of an operations and maintenance plan as well as a discussion of available funding sources that may be used to implement the plan.

## Maintenance

We will provide a framework for the maintenance plan for the site. We have developed these for a number of our projects. For the maintenance plan we recommend an adaptive management approach. Natural stormwater facilities are part of dynamic systems, and over time the project outcomes will likely change (increase or decline) as project life increases. Revision of project operations, monitoring, and maintenance procedures are identified through adaptive management evaluation. Adaptive management is an approach to natural resource management that incorporates monitoring of project outcomes and uses the monitoring results to make revisions and refinements to ongoing management and operations actions (NRCS NEH Part 654, Chapter 16).



Graphic Courtesy: NRCS NEH Part 654, Chapter 16

## Funding Options

Our Team has worked on numerous projects with a variety of funding sources, including grant-funded projects. We understand the accounting protocols required for the responsible use of many funding sources and are familiar with project-related eligibility requirements (i.e. material type, schedule, restoration goals, etc.) for these sources. We will help identify all potential construction funding sources and associated requirements, including considerations that need to be made in the design phase.

WaterVation has a breadth of experience helping our clients obtain construction funding from various sources. Matthew Johnson recently wrote a FEMA PDM grant for the City of Colorado Springs, which was awarded in the amount \$4M and Lucas Babbitt recently helped prepare a grant for the Fourmile Watershed Coalition that was awarded in the amount of \$150k. We just finalized preparation of a FEMA HMGP and BRIC Grant for the City of Creede and are awaiting potential selection.

## Ability to Perform all aspects of the Project

WaterVation is able to perform all aspects of the Project. We have provided a project experience chart on the following page highlighting where key project elements have been completed by WaterVation’s staff on a number of previous projects.

Key technical tasks will be completed or led by Lucas Babbitt, PE, CFM and/or Matthew Johnson, PE, CFM. Combined, Lucas and Matthew have over 30-years of collective experience performing numerous and varied water resource engineering services to clients. Since WaterVation is a small company, both Lucas and Matthew have a large skill set and direct experiences performing all tasks required for the project

Table 1.  
Project  
Experience  
Chart

Section 11, Item E.

	<i>City of Salida Stormwater Master Plan</i>	<i>Pine Creek Channel Restoration</i>	<i>Turkey Creek Watershed Assessment</i>	<i>North Creede Willow Creek Restoration</i>	<i>Flat Creek FEMA Peak Discharge Revisions</i>	<i>Industrial Tributary Channel Design</i>	<i>Bordeaux Creek Aquatic Habitat Restoration</i>	<i>Mesa View Townhomes Drainage</i>	<i>Sunnyside Subdivision Drainage</i>
Watershed Study	X	X	X	X	X	X	X	X	X
Stormwater Quality	X	X		X					
Sediment Management		X	X	X		X	X		
LID Design	X	X					X	X	
Inventory/Assessment	X	X	X	X		X	X	X	X
Public Engagement	X	X		X			X	X	

## Ability to meet schedules within budget

We develop our budgets by getting input and agreement from all team members that will be involved with a project. This ensures that all team members understand the scope of work and associated effort for the tasks that will be performed. We have found that this process typically results in a project getting completed at or under budget and promotes a more thorough understanding of the goals and objectives amongst all team members.

Project budgets are reviewed on a monthly basis, and we provide monthly invoicing to The Town of Grand Lake that identifies the percentage of the budget that has been used and the amount remaining for each task.

Our approach to managing costs is founded on sound project management and past experience and can be verified by any of the client references provided in this proposal. Managing requires expertise with communication, budgeting, scheduling, and quality control.

Effective project scheduling is critical to cost containment, efficient project completion and mitigating impacts on your operations. This requires a solid process to manage multiple staff and subconsultant resources. Lucas will be directly responsible for ensuring that appropriate staff is committed so that WaterVation consistently meets project schedules.

Project schedules are developed based on input received from the team and then divided into major tasks. Major tasks are then scheduled with key project milestones and man-hour estimates required for the completion of each task. We will monitor actual progress against planned progress through time sheet submittals, internal progress reports, and communication with sub consultants.

WaterVation will promptly report, in writing, situations that impact the project schedule. WaterVation will provide the notifications, including explanation and justification of the situation, immediately after a variance is identified. After discussions regarding the variance and receiving approval to make changes, we can then adjust the schedule as necessary and communicate the new information to the team.

Our process uses the resource planning and monitoring features available in the BigTime software program. We also have scheduling features available in Microsoft Excel to communicate high-level scheduling elements.



# Similar Experience

# Project References

## City of Salida Stormwater Master Plan & Criteria Development Salida, CO



### Relevance

- Stormwater Master Planning
  - Inventory Assessment
  - Stormwater Quality
    - LID Design
- Geotechnical Soil Borings & Analysis



### Reference

David Lady  
 City of Salida Public Works Director  
 719-239-0048  
 david.lady@cityofsalida.com



WaterVation was hired by the City of Salida to develop a stormwater master plan and stormwater design criteria. The purpose of the stormwater master plan was to develop a list of recommendations to reduce flooding and improve stormwater quality within the City. The purpose of the stormwater design criteria task was to establish governing criteria to be used for stormwater infrastructure design within the City.

WaterVation performed an inventory analysis of all existing drainage infrastructure within the City to document existing condition, size, and location. Stormwater quality issues were identified by meeting with City and County officials to discuss areas where observed issues such as sedimentation and hydrocarbon buildup was noticed. A watershed model was then developed using EPA SWMM to model hydrologic conditions and evaluation hydraulic function of the existing stormwater infrastructure. Information and data gathered during the inventory

analysis, modeling, and stakeholder interviews was used to develop a list of recommended infrastructure improvements to reduce flooding and improve stormwater quality discharge into the Arkansas River.

Until completion of this project, stormwater design criteria did not exist for the City. WaterVation developed the governing stormwater design criteria by referencing national, State, and relevant municipal criteria. Pertinent criteria were modified for use within the City by making programmatic modifications to support local regulatory needs and technical modifications to make the referenced criteria locally-applicable. As an example, WaterVation collected geotechnical soil borings at 4 locations to evaluate percolation rates throughout the City. This data was used to help inform the development of hydrologic modeling criteria, detention pond design criteria, and Low Impact Development (LID) design criteria.

This project provided the City with stormwater design criteria for land use planning; floodplain management; drainage law; MS4 permit compliance; hydrology; hydraulics; infrastructure design of open channels, closed conduits, culverts, detention ponds, and Low Impact Development (LID) techniques; construction; and stormwater Best Management Practices (BMPs).

# Turkey Creek Watershed Assessment

Harlan, NE



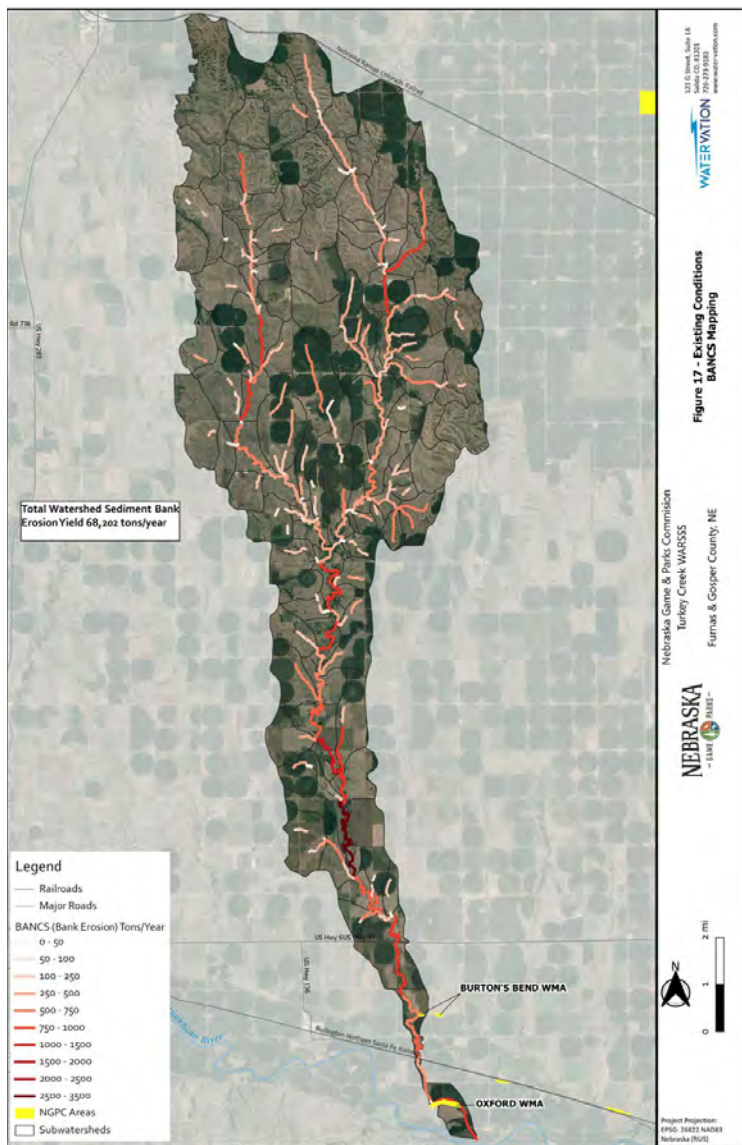
## Relevance

- Watershed Planning
- Sediment Sampling
- Inventory Assessment
- Stormwater Quality
- Sediment Management



## Reference

Brett Roberg  
 Nebraska Game & Park Commission  
 308-865-5329  
 Brett.roberg@nebraska.gov



WaterVation was hired by the Nebraska Game & Park Commission (NGPC) to prepare a Watershed Plan for the Turkey Creek watershed located in Harlan County, Nebraska. The purpose of the project was to evaluate the impacts that a proposed trans-basin diversion would have on the stream morphology, sediment delivery, water quality, and infrastructure.

WaterVation completed a watershed-wide assessment for the 68 square-mile watershed that encompasses 45 miles of Turkey Creek. Assessment tasks consisted of identifying sediment sources and channel stability problems linked to land and river management activities; taking GIS-based inventory of existing infrastructure; geomorphic stream assessments (survey and sediment sampling); and identifying locations within the watershed that are at high risk if sediment loading increases.

WaterVation then developed hydraulic and sediment transport models for existing watershed conditions using data collected in the assessment task and hydrologic data from local stream gages. These models were developed for 45 miles of Turkey Creek and were used to validate the issues and conditions observed during the field assessment task and to quantify existing (baseline) watershed conditions of stream morphology, riparian function, and aquatic habitat. Both models were then modified to include the additional flow proposed by the trans-basin diversion. The results of these

models were compared to those for existing conditions to identify areas at risk for flooding, erosion, or sedimentation if the proposed trans-basin diversion becomes active.

Using the assessment and modeling data, planning-level recommendations were developed to help offset the adverse impacts caused by the trans-basin diversion if it becomes active. Recommendations generally consisted of stream and watershed restoration practices focused on reducing flooding, managing sediment loading, and preserving riparian and aquatic habitat.

# Pine Creek Channel Restoration

## Colorado Springs, CO



### Relevance

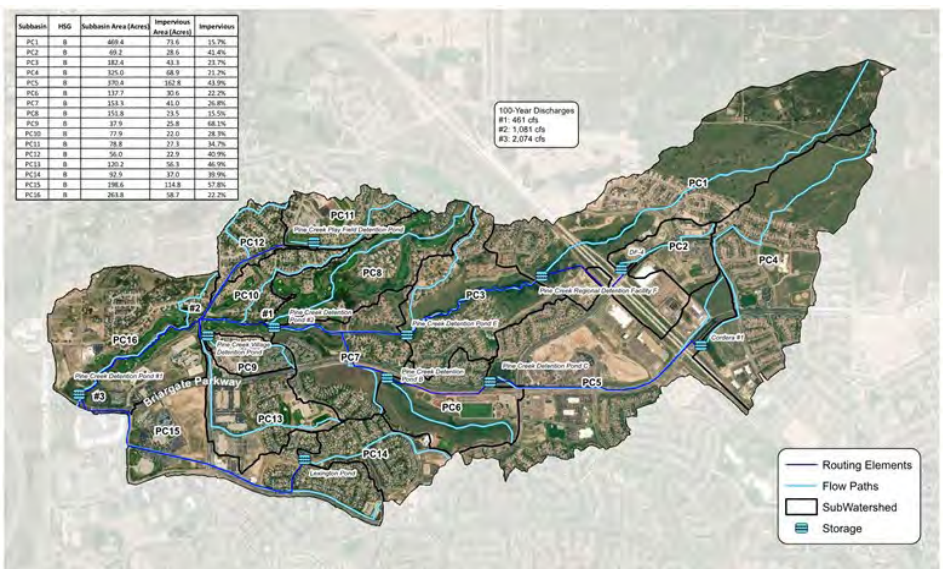
- Watershed Planning
- Sediment Sampling
- Geotechnical Soil Borings & Analysis
- Inventory Assessment
- Stormwater Quality
  - LID Design
- Construction Documents



### Reference

Adam Copper  
 City of Colorado Springs  
 719-385-5436  
[Adam.Copper@coloradosprings.gov](mailto:Adam.Copper@coloradosprings.gov)

Subbasin	MSB	Subbasin Area (Acres)	Impervious Area (Acres)	Impervious %
PC1	#	469.4	73.9	15.7%
PC2	#	69.2	28.6	41.4%
PC3	#	182.4	43.3	23.7%
PC4	#	329.0	68.9	21.0%
PC5	#	370.4	162.4	43.8%
PC6	#	117.7	36.6	31.2%
PC7	#	153.3	41.0	26.8%
PC8	#	151.8	73.5	48.4%
PC9	#	27.9	25.8	92.5%
PC10	#	77.9	22.0	28.3%
PC11	#	79.8	27.3	34.2%
PC12	#	56.0	22.9	40.9%
PC13	#	120.2	56.3	46.8%
PC14	#	52.0	17.0	32.7%
PC15	#	198.6	114.8	57.8%
PC16	#	263.8	68.7	26.2%



WaterVation was hired by the City of Colorado Springs to study the Pine Creek Watershed for the purposes of identifying opportunities to reduce peak flows to pre-developed conditions and identifying improvements required for repairing damage caused by watershed hydromodification.

The Pine Creek watershed is located in northern Colorado Springs and experienced rapid development, and corresponding hydromodification, beginning in the late 1990's. During this time period adequate stormwater infrastructure was not constructed in conjunction with the

massive amount of urban development. As a result, peak flows that drastically exceeded pre-developed conditions were dumped into Pine Creek and caused severe stream incision and erosion. This process destroyed critical habitat for the Preble's Meadow Jumping Mouse (PMJM), eliminated the riparian corridor, and dumped massive amounts of contaminated sediments that eventually entered Fountain Creek.

WaterVation developed a hydrologic model for the Pine Creek watershed using EPA SWMM to evaluate peak flows being generated by this highly developed watershed. This involved rainfall analysis; inventory and survey of stormwater detention facilities; and preparation of historical, existing, and future hydrological modeling scenarios to assist with problem identification and design decisions. Stream surveys, geomorphic assessments, and ecologic assessments were then performed for approximately two miles of Pine Creek to locate, and characterize, different impairments within the stream corridor.

Using the results generated from the watershed model and data collected during assessment, WaterVation identified an ideal location for a new detention pond within the watershed that would reduce peak flow rates to pre-developed conditions within the area of Pine Creek that had been damaged the most. WaterVation then prepared final design plans for this new detention pond and stream restoration plans for over 7,500 feet of Pine Creek.

The goal of the stream restoration design was to employ a hybrid channel design comprised of a natural channel restoration approach that worked with the natural tendencies of the stream system and preserved existing vegetation while providing adequate stabilization to protect against catastrophic flood events and to limit the excessive sediment contributions to Fountain Creek from this tributary.

# Mesa View Townhomes Drainage Analysis & Design

## Poncha Springs, CO



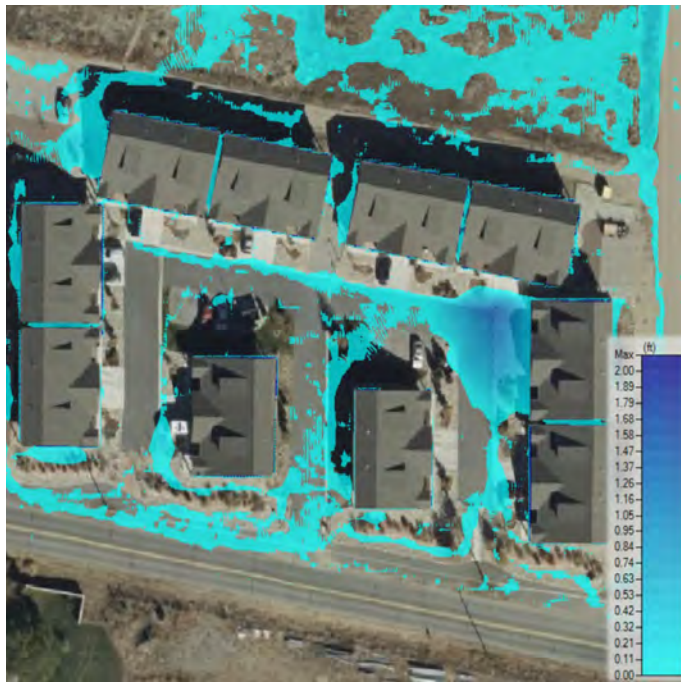
### Relevance

- Master Planning
- Inventory Assessment
- Stormwater Quality
- Sediment Management



### Reference

Jeff Cloutier  
Mesa View Town Homes President  
303-263-1117  
jeff\_cloutier@msn.com



The Mesa View Townhomes (MVTH) Homeowners Association (HOA) hired WaterVation to investigate the cause of substantial flooding that occurred on August 4th, 2022, and develop retrofit design solutions to mitigate future flooding.

WaterVation performed an inventory assessment and survey of existing stormwater infrastructure to evaluate the conveyance capacity of the existing system. A rain-on-grid model was then developed using USACE HEC-RAS to evaluate the rainfall and runoff characteristics for several storm events to identify areas at risk of flooding within the development. The results of this analysis were used to prepare retrofit design plans for the existing

stormwater system. Additionally, WaterVation designed two bio retention features to help attenuate peak flows, and 2,000 of grass swale to provide infiltration and pollutant filtration prior excess flow being discharged offsite.

WaterVation is located in Salida, Colorado, which is a small rural community with a population of 5,800 people. As such, we understand the “nuances” of working with smaller communities with limited resources. We recognize their need to get high-value for the investments they make in engineering services. Working with smaller communities with limited staff requires all parties to be flexible, wear multiple hats, and constantly communicate. Some of our experience addressing these “nuances” in smaller communities includes:

---

## City of Salida

Working with small communities that don't have established stormwater design criteria, but need state-of-the-practice stormwater quality and LID design criteria to fulfill water quality needs.

---

## City of Creede & Headwaters Alliance

Developing practical, constructable, and affordable sediment management design solutions for the local town engineer (who also drives the snowplow and might also build the sediment basin).

---

## Town of Crestone

Being hired to develop a hydraulic model and prepare flood inundation mapping, but then being asked to write a grant because the only other city staff member resigned.



# Qualifications

# Qualifications

WaterVation is a small business that was founded in, and is located in, Salida, Colorado. We have been providing water resources consulting services to public and private clients for the past six years. At WaterVation we focus on providing innovative solutions to water resources problems for our service areas of river restoration, watershed planning, hydrologic & hydraulic engineering, stormsystem design, groundwater engineering, water rights, environmental permitting, and surveying.



We are intentionally small with an experienced, flexible, and technical staff. Because of this, the Town can comfort in knowing that the WaterVation staff can immediately provide support or guidance for any challenges the Project may face. Our clients are our partners, and we believe that great collaboration is part of successful project delivery. We care deeply about the unique systems that we work in, and mold our designs towards each individual project's goals. We are constantly striving for excellence in everything we do.

## Our Team Members

LB



### Principal Water Resources Engineer

Lucas Babbitt will lead our Project team. Lucas has experience in Water Resources Engineering, as well as project management.

18+  
Years of  
experience

MJ



### Water Resources Project Manager

Matthew Johnson has experience in hydrologic and hydraulic planning, analysis, and design primarily focused in stream systems.

11+  
Years of  
experience

KB



### Water Resources Technician

Kristin Barnett has completed courses for permitting as well as obtaining her FAA Remote Pilot Certificat under part 107.

1  
Year of  
experience

# Company Resources

We have found that owning our own equipment eliminates scheduling uncertainties by not having to reserve equipment or trying to use poorly maintained equipment. A list of our survey and assessment equipment is outlined below:

## Survey & Imaging

Trimble R8s RTK GNSS Survey System (base, rover, and TSC3 data collector)

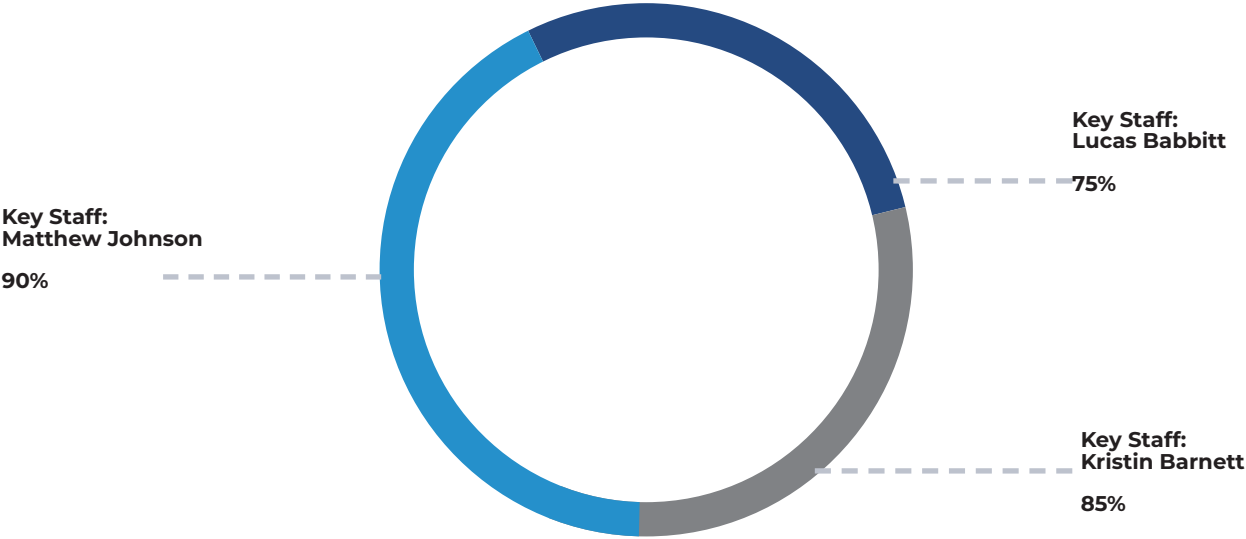
Trimble R12 RTK GNSS Survey System (base, rover, and TSC7 data collector)

Hyside Outfitter 13-foot Raft & Frame

Hyside 10-foot Inflatable Kayak

**Ability to Mount with Sonar Mite Echo Sounder**

Our primary resource is our staff and their expertise. As stated in our cover letter we have guaranteed availability to complete this Project for The Town of Grand Lake. For our overall capacity we have allocated our staff towards your Project as shown below.





# Key Project Staff Resumes



# LUCAS BABBITT, PE, CFM

## PRINCIPAL WATER RESOURCES ENGINEER

Mr. Babbitt has over 18 years of experience in river and watershed restoration with responsibilities in team management, personnel management, project management, engineering analysis/design, and construction management. He has successfully directed and designed multiple projects including large-scale master plans, dam removal, flood mitigation, and river restoration projects. He has been responsible for managing construction fees up to \$7 million dollars and has a proven track record with resource, time, and budget management. He has recently co-authored natural channel design criteria for the Fountain Creek Watershed Flood Control & Greenway District that is being used to implement over \$70M in restoration work and is also working as a volunteer with the City of Colorado Springs to develop their stormwater criteria manual.

- Mobile: (720)-273-9183
- Email: lucas.babbitt@water-vation.com
- Website: www.water-vation.com
- 130 West Sackett Avenue, Unit A, Salida, CO 81201

## EDUCATION

**Masters**  
*Water Resources Engineering*  
*Colorado State University*

**Bachelors**  
*Civil Engineering*  
*Colorado State University*

## LICENSES

**Professional Engineer**  
 Colorado, #42636  
 Wyoming, #16339  
 Nebraska, #E-18331

**Certified Floodplain Manager**  
 Colorado, #2704

## PROJECT EXPERIENCE

**PINE CREEK STREAM RESTORATION**  
*City of Colorado Springs Public Works | Colorado Springs, CO*  
 Project Manager responsible for designing channel restoration improvements for over 7,500 feet of Pine Creek to repair channel erosion and mitigate flooding concerns. Responsibilities included performing stream assessment to quantify existing and reference conditions; hydrologic, hydraulic, and sediment transport modeling; designing 7,500 feet of stream following principles of Natural Channel Design; designing five six-foot tall, grouted boulder drop structures; obtaining Section 404 and floodplain permits; and providing construction oversight.

**PINE CREEK DETENTION POND & DROP STRUCTURE**  
*City of Colorado Springs Public Works | Colorado Springs, CO*  
 Project Manager responsible for designing a nine-acre-foot detention pond and a 12-foot tall, grouted boulder drop structure to repair flood damage and prevent future flooding. Responsibilities included hydrologic, hydraulic, and sediment transport modeling; designing a nine-acre-foot detention pond; designing a reinforced concrete box culvert; designing a 12-foot tall, grouted boulder drop structure; obtaining Section 404 and floodplain permits; and providing construction oversight.

**TURKEY CREEK WATERSHED WARSSS PLANNING STUDY**  
*Nebraska Game & Park Commission | Kearney, NE*  
 Project Manager for responsible for developing a watershed plan to quantify existing and future hydraulic and sedimentation problems associated with a proposed trans-basin diversion. Work included field assessments to document existing conditions; hydrologic and hydraulic modeling to evaluate changes in hydraulic conditions; sediment transport modeling to evaluate changes in river morphology associated with the diversion; and preparing a summary of recommendations.

**FOUNTAIN CREEK CHANNEL STABILIZATION AT RIVERSIDE**  
*El Paso County Department of Public Works | El Paso County, CO*  
 Project Manager responsible for developing stream restoration plans to realign 3,000 feet of Fountain Creek within the City of Fountain to protect adjacent development from being threatened by a 30-foot high, actively eroding, escarpment. Responsibilities included performing stream assessment to quantify existing and reference conditions; hydrologic, hydraulic, and sediment transport modeling; designing 3,000 feet of stream following principles of Natural Channel Design; designing 10 engineered log jam structures; designing aquatic habitat features for the endangered Arkansas darter; obtaining Section 404 and floodplain permits; and providing construction oversight.

# LUCAS BABBITT



Mobile:  
(720)-273-9183



Email:  
lucas.babbitt@water-vation.com



Website:  
www.water-vation.com



130 Sackett Avenue, Unit A  
Salida, CO 81201

## PROJECT EXPERIENCE

### GROUNDWATER MODEL & CHEMICAL TRANSPORT

Section 11, Item E.

*Jackson Hole Airport | Jackson Hole, WY*

Project Manager responsible for studying groundwater hydrology for the Snake River Alluvial Aquifer and evaluating chemical transport characteristics for various runway pavement deicing products at the Jackson Hole Airport to determine if site-specific water quality treatment features were necessary. Responsibilities included preparing a groundwater model using USGS MODFLOW USG to establish groundwater elevations; preparing a transient-flow groundwater model to evaluate groundwater flow characteristics for several different snow storage and melting scenarios; developing snow storage and maintenance recommendations to minimize chemical contamination.

### CITY OF SALIDA STORMWATER MASTER PLAN

*City of Salida | Salida, CO*

Project Manager responsible for preparing a stormwater master plan and stormwater design criteria for the City of Salida. Prior to this project, the City of Salida did not have a guiding stormwater master plan or stormwater design criteria in place. The purpose of this project was to develop a comprehensive, and current, stormwater master plan along with stormwater design criteria for use with future design, planning, and construction projects.

A detailed hydrologic model was developed using EPA SWMM to evaluate all of the City's stormwater infrastructure which ranged from large-diameter storm system, inlets, and gutter conveyance and identify areas prone to flooding. This information was used to provide recommendations for further design and evaluation to mitigate flooding issues.

This master plan is currently being used by City of Salida and other stakeholders to implement stormwater improvements, stormwater best management practices, inter-agency coordination, floodplain management, and other land use management practices to reduce stormwater-related impacts to the community.

### NORTH CREEDE STREAM STABILITY & FLOOD MITIGATION

*Headwaters Alliance | Creede, CO*

Project Manager responsible for developing stream restoration and flood mitigation designs for approximately 3,500 feet of Willow Creek in North Creede to repair stream damage caused by flooding and mining activities. Responsibilities included performing a watershed-wide assessment to determine primary sources of sedimentation and flooding; performing stream assessment to quantify existing and reference conditions; hydrologic, hydraulic, and sediment transport modeling; preparing stream restoration designs following the principles of Natural Channel Design; designing embankment protection for the adjacent Bachelor Loop road and hockey rinks; preparing dam removal plans for a historic 10-foot tall dam; designing two sediment basins to reduce downstream sediment delivery; and preparing bridge scour analyses and revetment design at two locations.

### MESA VIEW TOWNHOMES DRAINAGE DESIGN

*Mesa View HOA | Poncha Springs, CO*

Project Manager responsible for preparing a drainage study and design to mitigate flooding within this newly constructed subdivision. Responsibilities included preparing a 2-dimensional hydraulic model to evaluate flood characteristics; designing two bio retention facilities; designing a storm system; designing 1,000 feet of bioswale.



Section 11, Item E.

# MATTHEW JOHNSON, PE, CFM



PE, CFM | WATER RESOURCES PROJECT MANAGER

Mr. Johnson has over 11 years of experience in hydrologic and hydraulic planning, analysis, and design primarily focused in stream systems. He has managed stream restoration projects and served as design lead / assistant project manager on stream restoration projects up to 7 miles in length with construction budgets of \$3M. This experience includes construction oversight and implementation of stream restoration/stabilization designs.

Mr. Johnson is experienced in hydrologic modeling, 1D & 2D hydraulic modeling, sediment transport modeling, stream stabilization and restoration design, scour analysis, and erosion countermeasure design. This includes major drainage analysis including FEMA floodplain modeling, mapping, and permitting. His modeling experience includes GIS, HEC-2, HEC-RAS, HEC-HMS, SRH-2D, HY-8, EPASWMM, and XPSWMM.

Mr. Johnson has prepared and lead trainings for SRH-2D and HEC-RAS 2D as well as other hydraulic topics. He has presented his work at ASFPM, EWRI, NHEC, CASFM, and the Rocky Mountain Stream Restoration Conferences.



Mobile:  
(719)-337-8604



Email:  
matthew.johnson@water-vation.com



Website:  
www.water-vation.com



130 West Sackett Avenue,  
Unit A  
Salida, CO 81201

## EDUCATION

### Bachelors

Civil Engineering  
South Dakota School of  
Mines & Technology

## LICENSES

### Professional Engineer

Colorado, #52356  
South Dakota, #14500  
Washington, #22008488

### Certified Floodplain Manager

Colorado, #US-14-07984

### Fish Passage and Stream Restoration Design Certification

Washington, #FPT20-49777

## PROJECT EXPERIENCE

### PINE CREEK STREAM RESTORATION

City of Colorado Springs Public Works | Colorado Springs, CO

Lead stream restoration engineer (Reach 1) and responsible for designing channel restoration improvements for over 7,500 feet of Pine Creek. Responsibilities included performing stream assessment to quantify existing and reference conditions; hydrologic, hydraulic, and sediment transport modeling; designing 7,500 feet of stream following principles of Natural Channel Design; designing boulder drop structures; obtaining Section 404 and floodplain permits; and providing construction oversight.

### TURKEY CREEK WATERSHED WARSSS PLANNING STUDY

Nebraska Game & Park Commission | Kearney, NE

Project Engineer for the WARSSS study. The overall goal of the study is to determine impacts on the entire watershed to future hydromodification activities. Work includes field assessments, BANCS mapping, geomorphic assessment used to quantify existing baseline watershed conditions. Areas of high risk to were identified. This included a full Predictive Level Assessment of the Oxford WMA, roughly 4,000 feet of full geomorphic channel survey to determine existing impairments and to baseline conditions for future monitoring ahead of potential hydromodification activities.

### INDUSTRIAL TRIBUTARY

CORE Consultants | Castle Rock, CO

Matthew Johnson is the WaterVation project manager for this project. His tasks include management of budget and schedule for final design of stream rehabilitation for Industrial Tributary in Castle Rock, Colorado. This project consists of 2,800 feet of channel realignment and design, design of 8 drop structures, and design of 400 LF of boulder wall channel bank protection. This project also required revisions to the Town of Castle Rock FHAD for hydrology and a floodplain modification study. As part of the hydrology revisions the stream stabilization design is streamlined and optimized for cost savings while following stringent Castle Rock criteria. Challenges successfully navigated on this project include shifting priorities due to development changes and rapid changes to project schedule. Permits required for this project include USACE Section 404, Stormwater Management Plan, and Town of Castle Rock floodplain modification study.

# MATTHEW JOHNSON



Mobile:  
(719)-337-8604



Email:  
matthew.johnson@water-vation.com



Website:  
www.water-vation.com



130 Sackett Avenue, Unit A  
Salida, CO 81201

## PROJECT EXPERIENCE

### BORDEAUX CREEK AQUATIC HABITAT REHABILITATION PROJECT

Section 11, Item E.

*Nebraska Game & Park Commission | Chadron, NE*

Project Engineer responsible for developing stream restoration designs for approximately 7 miles of Bordeaux Creek in sand hills of Chadron, Nebraska to address streambed incision and a loss of floodplain connection. Responsibilities included performing stream surveys and assessments to quantify impaired and healthy conditions; performing hydrologic, hydraulic, and sediment transport modeling; designing seven miles of stream and aquatic habitat restoration following design philosophies outlined in Process-based Principles for Restoring River Ecosystems (Beechie et al. 2010); designing aquatic habitat improvement features; obtaining Section 404 and floodplain permits; and providing construction oversight.

### GUNNISON RIVER RESTORATION

*City of Gunnison | Gunnison, CO*

Project Manager responsible for developing stream restoration plans for the Gunnison River at Tomichi Park and at the City of Gunnison Park Trail Site. Approximately 1,000 feet of channel geomorphic survey was performed by boat and sonar to characterize the existing conditions, understand stream impairments, and cross-sectional flow conditions. This data was used to bank restoration design and aquatic habitat improvement design. Hydraulic modeling was performed to support the design. Section 404, floodplain permitting, and construction oversight was performed for this Project.

### POUDRE LEARNING CENTER RIPARIAN RESTORATION

*Poudre Learning Center | Weld County, CO*

Project Manager responsible for developing stream restoration plans for 3,200 feet of the Poudre River. For this project WaterVation is the lead stream restoration engineer focused on riverine function and habitat. Work included drone aerial imagery, pond bathymetric survey, and geomorphic survey to characterize the existing stream using the Colorado Stream Quantification Tool. This included a full reference reach geomorphic survey as well. A number of hydrologic, hydraulic, aquatic, and geomorphic parameters were captured and assessed to determine existing impairments and to score potential uplift based on the proposed 60% designs.

### FLAT CREEK FEMA PEAK DISCHARGE REVISIONS

*Wyoming Game & Fish | Park County, WY*

Matthew Johnson is leading a hydrologic study for peak discharge revisions in the Lower Flat Creek Watershed that encompasses all of Jackson, Wyoming. The purpose of this study is to develop a Conditional Letter of Map Revision (CLOMR) based on updated and realistic hydrologic data. This study is also used to support a broader stream restoration project scheduled for construction this fall. Due to construction and grant requirements the study had to be completed in March 2020 to maintain design and construction schedules. Matthew navigated the complex FEMA procedures and tight deadline to deliver the study on time and on budget. The study was accepted by the local floodplain administrator without comment.

### CP2 FLOOD MODELING

*Kiewit Engineering Group | Santa Clara, CA*

WaterVation was hired by Kiewit Engineering Group to support their staff by developing a rain-on-grid two-dimensional hydrologic and hydraulic model to assess flooding conditions at a Project location. Matthew served as the WaterVation Project Manager and completed the modeling for this task. The modeling assesses existing and proposed conditions and determined impacts to flooding patterns and depths at and near the Project site.

### CREEDE HAZARD MITIGATION PROGRAM GRANT APPLICATION

*City of Creede | Creede, CO*

Project Manager responsible for the development of a FEMA HMPG Grant Application for the City of Creede. Three separate projects with multiple stakeholders were combined into a single grant application of around \$7 million. This involved data collection, development of all grant materials, and completing a benefit cost analysis (BCA) to support the grant application. Both the HMGP and BRIC Programs were used to submit the grant application.

### ORPHAN BOY MINE RESTORATION

*Trout Unlimited | Alma, CO*

Project Engineer responsible for developing stream and mine restoration plans for the Orphan Boy Mine outside of Alma, CO. This involved topographic data collection to inform the design to provide a natural stream system to convey fresh water flows away from mine tailings into the receiving stream system. Additional ditches, grading, and revegetation plans were developed to preserve water from mine tailings and to restore the Mine



# KRISTIN BARNETT

## WATER RESOURCES TECHNICIAN / UNMANNED AIRCRAFT PILOT

*Kristin has been with WaterVation since May of 2022. She has successfully completed Richard Chinn's Wetland Permitting Training and Wetland Delineation Training. Through this course she is familiar with permitting within the Omaha, Albuquerque, and Sacramento USACE districts. Through that course she is also familiar with the USACE Wetland delineation manual in the Great Plains Region and Western Mountains, Valleys, and Coast Region. She has also successfully completed the Pilot Institute's Part 107 training to obtain her Remote Pilot Certificate from the FAA.*

*Prior to WaterVation, Kristin spent 13 years as a Certified Athletic Trainer. In addition to being an Athletic Trainer, Kristin was also Metropolitan State University of Denver's Assistant Athletic Director for Sports Medicine, Senior Woman Administrator, and NCAA Health Care Administrator. From that experience she is familiar with managing staff and events, detailed record keeping, maintaining professional standards including OSHA compliance, and timely and effective communication.*



Mobile:  
(720)-308-3202



Email:  
kristin.barnett@water-vation.com



Website:  
www.water-vation.com



130 West Sackett Avenue,  
Unit A  
Salida, CO 81201

## EDUCATION

### Masters

*Exercise Science  
Eastern Washington University*

### Bachelors

*Education  
University of Kansas*

## COURSES & CERTIFICATES

### Courses

- Richard Chinn's Wetland Permitting Training
- Richard Chinn's Wetland Delineation Training
- Pilot Institute Part 107

### Certificates

FAA Remote Pilot Certificate-  
Part 107

## PROJECT EXPERIENCE

### CREEDE HAZARD MITIGATION PROGRAM GRANT APPLICATION

*City of Creede | Creede, CO*  
Assisted the Project Manager with the development of a FEMA HMPG Grant Application for the City of Creede. Three separate projects with multiple stakeholders were combined into a single grant application of around \$7 million. This involved data collection, development of all grant materials, and completing a benefit cost analysis (BCA) to support the grant application. Both the HMGP and BRIC Programs were used to submit the grant application.

### ABERNATHY RESIDENCE POND RESTORATION

*Robert Abernathy | Buena Vista, CO*  
Water Resources Technician responsible for communicating with USACE to determine correct NWP appropriate for the Project. Completed PCN for permitting purposes and collected data for Wetland Delineation forms.

### LION CREEK RESTORATION

*Trout Unlimited | Empire, CO*  
Assisted with survey data collection field work and created an inventory of project area vegetation.

### NORTH CREEDE STREAM STABILITY & FLOOD MITIGATION

*Headwaters Alliance | Creede, CO*  
Water Resources Technician responsible for assisting with stream surveys and assessments for 3,500 feet of Willow Creek in North Creede, Colorado. Responsibilities included performing a watershed-wide assessment following the protocols outlined in Watershed Assessment of River Stability & Sediment Supply (WARSSS) to determine primary sources of sedimentation; performing ecologic assessments; and completing a drone-based aerial and topographic survey for the project corridor.

### BORDEAUX CREEK AQUATIC HABITAT REHABILITATION PROJECT

*Nebraska Game & Park Commission | Chadron, NE*  
Water Resources Technician responsible for assisting with stream surveys and assessments for 7 miles of Bordeaux Creek located in Chadron, NE. Responsibilities included performing stream surveys, ecologic assessments, and drone-based aerial and topographic survey for the project corridor.