

Mayor Ed Sisson called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, Mary Cooper, and Ray Penick along with City Manager Glen Black. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

**Pledge of Allegiance**

The Mayor led everyone present in the Pledge of Allegiance.

**Changes to the Agenda**

There were none.

**Minutes**

It was moved by Councilmember Jurca and seconded by Councilmember Raley to approve the minutes of the December 1, 2015 regular meeting as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

There were none.

**Transfer of Ownership: Hotel/Restaurant Liquor License: Delta Fireside Inn, Inc.**

The Clerk stated that Delta Fireside Inn, Inc. has submitted a transfer of ownership application for the Hotel and Restaurant Liquor License being held by DaVine Ventures, LLC located at 820 Highway 92 in Delta. The application is complete and all fees have been paid. The owner of Delta Fireside Inn, Inc. has been fingerprinted and the results are favorable. Staff recommends approval of the transfer of ownership for the liquor license.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to approve the transfer of ownership for the Hotel/Restaurant Liquor License for Delta Fireside Inn, Inc. All in favor, motion carried.

**Hotel/Restaurant Liquor License Renewal: Ocean Pearl**

The Clerk reported that Ocean Pearl has submitted the hotel/restaurant liquor license renewal. The application is complete and all fees have been paid. The police department is recommending renewal.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to approve the hotel/restaurant liquor license renewal for Ocean Pearl. All in favor, motion carried.

**Regular Meeting, Delta City Council, December 15, 2015 (cont.)**

**Purchase and Acquisition of the 2015 Garnet Mesa System and Customers**

Utilities Director Steve Glammeyer stated that during the 2014 budget process, staff included money to continue acquisition of facilities and customers in the Garnet Mesa area. Staff informed DMEA in mid April of the City's intentions to acquire facilities as indicated on the attached map. The total number of acquired customers for this acquisition is approximately 80. Acquisition of facilities and customers need to follow the State Statute for fair compensation. Staff has been working on fair compensation and negotiating provisions of the statute since that request in April. The statute provides for compensation of loss of revenue to DMEA for existing and new services over a period of 10 years. More specifically, the statute requires payment annually of 25% of the revenue received by the City for each existing service in the area and 5% of the revenue received annually by the municipality from the sale of electric power to services that come into existence in the area for a period of 10 years from the date of acquisition. Staff is prepared to track those costs and will budget funds to pay this annually.

Cost for the actual facilities and manpower necessary to close this deal are also a required to be paid by the City. Those numbers were calculated by DMEA. Staff feels these numbers are reasonable and represent fair compensation.

All of this information is captured in the agreement, exhibits, and invoice. Staff has vetted the agreement with our special counsel and is ready to execute with your approval.

Total cost of the acquisition includes \$73,398.08 for the facilities, \$26,796.00 for 290 DMEA man-hours for a total acquisition cost of \$100,194.08. This cost falls well below the budgeted amount for 2015 of \$400,000.

Councilmember Jurca questioned whether DMEA can come back and request a lump sum once the agreement is completed.

Mr. Glammeyer stated he does not think they can.

Councilmember Penick questioned when the acquisition would take place.

Mr. Glammeyer stated sometime in late January or early February.

It was moved by Councilmember Raley and seconded by Councilmember Penick to approve the acquisition agreement with DMEA in the amount of \$100,194.08. All in favor, motion carried.

**Resolution #6, 2015; 2016 Mail Ballot Election**

Resolution # 6, 2015

A RESOLUTION OF THE CITY OF DELTA, COLORADO,  
AUTHORIZING THE April 5, 2016 REGULAR MUNICIPAL  
ELECTION TO BE CONDUCTED BY MAIL BALLOT

It was moved by Councilmember Jurca and seconded by Councilmember Cooper to adopt Resolution #6, 2016. Roll call vote: Councilmembers Cooper, aye; Jurca, aye; Penick, aye; Raley, aye and Sisson, aye. Motion carried.

**Regular Meeting, Delta City Council, December 15, 2015 (cont.)**

**Intergovernmental Agreement with the Delta County Clerk and Recorder**

The Clerk reported that this is the standard agreement with the Delta County Clerk and Recorder for the election.

It was moved by Councilmember Penick and seconded by Councilmember Raley to approve the Intergovernmental Agreement with the Delta County Clerk and Recorder for the 2016 Municipal Election. All in favor, motion carried.

**Ordinance #9, 2015; Second and Final Reading  
Election Code**

Ordinance #9, 2015

AN ORDINANCE OF THE DELTA CITY COUNCIL AMENDING  
CHAPTER 2.68 OF THE DELTA MUNICIPAL CODE  
CONCERNING ELECTIONS

was read by the Clerk.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to adopt Ordinance #9, 2015 on second and final reading. Roll call vote: Councilmembers Cooper, aye; Jurca, aye; Penick, aye; Raley, aye and Sisson, aye. Motion carried.

**Ordinance #10, 2015; Second and Final Reading  
2015 Supplemental Appropriations**

Ordinance #10, 2015

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE  
VARIOUS FUNDS AND SPENDING AGENCIES IN THE  
AMOUNTS AND FOR THE PURPOSES SET FORTH BELOW  
FOR THE CITY OF DELTA, COLORADO, FOR THE 2015  
BUDGET YEAR

was read by the Clerk.

It was moved by Councilmember Jurca and seconded by Councilmember Raley to adopt Ordinance #10, 2015 on second and final reading. Roll call vote: Councilmembers Cooper, aye; Jurca, aye; Penick, aye; Raley, aye and Sisson, aye. Motion carried.

**City Attorney Comments**

There were none.

**City Manager Comments**

Manager Black updated Council on broadband.

**Regular Meeting, Delta City Council, December 15, 2015 (cont.)**

**Councilmember Comments**

Councilmember Cooper suggested that there be a discussion regarding consent agendas and administrative approvals on liquor license renewals and special event permits.

The meeting was adjourned at 7:15p.m.

---

Jolene E. Nelson, CMC, City Clerk